

# REDUCING UNINTENTIONAL SHOOTINGS BY CHILDREN IN VIRGINIA

**Applied Policy Project** 

Prepared by Kaitlyn Matthews for Delegate Mike Cherry

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To my family and friends, thank you for the constant support and encouragement throughout my time at UVA. Your love has made this project and my academic career possible. Thank you.

# **HONOR PLEDGE**

On my honor as a student, I have neither given nor received unauthorized aid on this assignment.

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# **DISCLAIMER**

The author conducted this study as part of the program of professional education at the Frank Batten School of Leadership and Public Policy, University of Virginia. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author, and are not necessarily endorsed by the Batten School, by the University of Virginia, or by any other agency.

# **EXECUTIVE SUMMARY**

In 2024, there were almost 400 unintentional shootings by children in the United States, including 12 in Virginia (Everytown for Gun Safety, 2024A). Although there are numerous factors that result in these tragic incidents, improper firearm security is a key contributor. In more than 80% of these shootings that resulted in death, the owner of the firearm was a relative of the child (Vaishnav et al., 2023).

Given the importance of firearm security, and particularly in minimizing the risk of firearms falling into the hands of children, it is imperative that policymakers work toward incentivizing proper firearm security in a manner that does not infringe upon Second Amendment rights.

To accomplish this in Virginia, I identify four alternative actions that Delegate Mike Cherry could propose as legislation to work toward this goal:

- **1. Stricter Sentencing**: Increase the sentence for improper security of a firearm around a child from a misdemeanor to a felony.
- **2.** Clearer Definitions: More clearly define proper and improper security of a firearm in Virginia law.
- **3. Mandate Education Through Schools**: Mandate that school systems provide information to parents about proper firearm security.
- **4. Mandate Education & Tax Credit Information Through Gun Sellers**: Mandate that licensed gun sellers provide information to consumers about proper firearm security and the 2023 gun safety device tax credit.

In order to assess the relative merits of each of these alternative approaches, I consider whether each option is (a) effective, (b) politically feasible, and (c) cost-minimizing and involves a low administrative burden for parties responsible for implementation. The analyses conducted in this report suggest that **mandating education about proper firearm security and the 2023 gun safety device tax credit through gun sellers** is the most promising option.

This policy alternative effectively reaches the target population, firearm owners, and informs them about the risks of improper firearm security while simultaneously providing a way for them to properly secure firearms with little to no financial burden. It is also likely to garner support on both sides of the aisle in the Virginia General Assembly for various reasons and results in a very low cost and administrative burden to gun sellers. This policy will effectively incentivize proper firearm security and decrease unintentional shootings by children in Virginia.

# **KEY TERMS & DEFINITIONS**

- **1. Be SMART:** campaign started in 2015 by Everytown for Gun Safety focused on "promot[ing] responsible gun ownership in order to reduce child deaths," through "a framework that parents, caretakers, and community leaders can follow to help keep their communities safe" (Everytown for Gun Safety Support Fund, 2025)
- **2.** Everytown for Gun Safety: a non-profit organization focused on gun violence prevention through research and advocacy methods at the local, state, and federal levels
- **3. Federal Firearms License (FFL):** a license from the Bureau of Alcohol, Tobacco, Firearms, and Explosives that permits an individual "to engage in a business involving the dealing, manufacturing, or importing of firearms, or manufacturing or importing ammunition" (ATF, 2023)
- **4. Fiscal Year (FY):** the twelve-month period used for finances and budgeting by businesses, not necessarily corresponding to the calendar year
- **5. House Bill 2387:** Titled "Income tax, state; firearm safety device tax credit," a bill passed in the General Assembly and signed by Governor Younkin in 2023 that "establishes a nonrefundable income tax credit for taxable years 2023 through 2027 for individuals who purchase one or more firearm safety devices, as defined in the bill, in an eligible transaction, as defined in the bill...in the amount of up to \$300 for the cost incurred in such purchase" (Virginia General Assembly, 2023)
- **6.** Unintentional shootings by children: incidents in which a minor gains access to a firearm that results in injury or death to themselves or another person
- **7. U.S. Centers for Disease Control & Prevention (CDC):** "the nation's leading science-based, data-driven service organization that protects the public's health" through research, innovation, healthcare services, training, and advising to the government (CDC, n.d.)

# INTRODUCTION

With the number of unintentional shootings by children remaining persistently high in the United States in recent years, it is absolutely essential that policymakers pursue effective policy solutions immediately. The importance of addressing the severe issue of gun violence in the United States cannot be overstated, and it is vital that policymakers begin taking steps in the right direction.

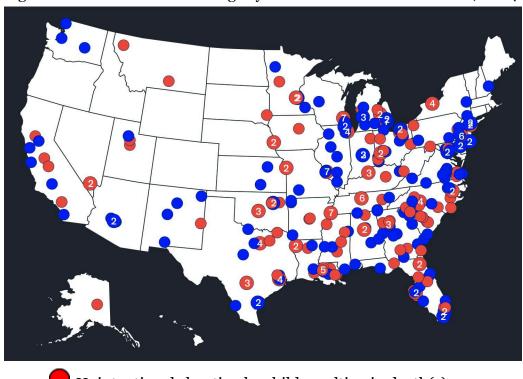


Figure 1: Unintentional Shootings by Children in the United States, 2024<sup>1</sup>

Unintentional shooting by child resulting in death(s)

Unintentional shooting by child resulting in injury

Although the root causes of gun violence, and specifically, unintentional shootings by children are extremely complicated and multi-faceted, proper firearm security is a key part of addressing this tragic issue. In more than 80% of unintentional shootings by children that result in death, the owner of the firearm was a relative of the child (Vaishnav et al., 2023). By looking at past unintentional shootings by children and various state safe storage laws, it is clear that creatively incentivizing safe storage of firearms is a great place to start.

<sup>&</sup>lt;sup>1</sup> The figure for unintentional shootings by children in the United States in 2024 is provided through Everytown for Gun Safety accessed at: https://everytownresearch.org/maps/notanaccident/

# PROBLEM STATEMENT

There were almost 400 unintentional shootings by children in the United States in 2024, including 12 in Virginia (Everytown for Gun Safety, 2024A). In more than 80% of these cases that resulted in death, the owner of the firearm was a relative of the child (Vaishnav et al., 2023). **The lack of creative policy solutions to address improper firearm security has resulted in far too many unintentional shootings by children nationally and specifically, in Virginia** – policymakers have a responsibility to begin taking steps to address this grave issue in an effective, timely manner.

# **CLIENT OVERVIEW**

This report has been prepared for Delegate Mike Cherry of the Virginia General Assembly and will focus on potential legislation to reduce the number of unintentional shootings by children in Virginia through incentivizing proper firearm security.

Delegate Cherry represents the 74th District of Virginia, including the City of Colonial Heights and part of Chesterfield County. He is a member of the Health and Human Services Committee and the Education Committee. At its core, gun violence is a public health issue. Additionally, because this project will focus on the number of unintentional shootings by children, his role in the Education Committee is also key. He will be able to back potential proposed legislation if it is discussed in the Health and Human Services Committee or Education Committee.

As demonstrated by his voting record and past legislation sponsored, Delegate Cherry has consistently worked to support strong, bipartisan legislation. This will serve him well in future legislation he proposes as he attempts to garner support for it.

# PROBLEM BACKGROUND & POLICY CONTEXT

#### **Recent Trends**

Gun violence is a longstanding, devastating problem in the United States. In 2021, the most recent year for which comprehensive gun violence data is available, nearly 50,000 Americans died from gun-related injuries in the United States (Gramlich, 2023). This record-number of gun deaths compared to all past years represents a 23% increase just since 2019 (Gramlich, 2023). One particularly devastating portion of these injuries and deaths includes unintentional shootings by children. Unintentional shootings by children specifically include when a child gains access to a firearm and subsequently injures or kills themself or another person. The number of these shootings has steadily increased, with roughly 300 in 2015, compared to more than 400 in 2023 (Everytown for Gun Safety, 2024A). Although gun violence in general must decrease in the United States, it is absolutely vital that the number of unintentional shootings by children decreases immediately.

#### **Root Cause of the Problem**

As previously mentioned, in more than 80% of unintentional shootings by children that result in death, the owner of the firearm was a relative of the child (Vaishnav et al., 2023). To further illustrate this point, in a study done of 280 families in which children lived in a household with firearms, "70% of parents reported that their adolescent could not independently access a household firearm"; however, "more than one-third of adolescents reported being able to access a loaded household firearm in less than 5 minutes" (Salhi et al., 2021). The study also found that when firearms were locked, less than one-quarter of adolescents "reported being able to access a loaded household firearm in less than 5 minutes" (Salhi et al., 2021).

Another study analyzed firearm mortality rates from 1997 through 1994 in states that passed laws to "make gun owners criminally liable if someone is injured because a child gains unsupervised access to a gun," compared to states that did not (Cummings et al., 1997). In states that had these types of laws, "unintentional shooting deaths were reduced by 23%" for children younger than 15 in contrast to states that did not pass these laws (Cummings et al., 1997).

A third study surveyed nearly 4,000 United States adults in 2015, and assessed gun ownership and safe storage practices in households with children (Azrael et al., 2018). Despite the fact that "approximately one in three US households contain at least one

firearm," only 30% of gun owners in households with children stored "all guns in the safest manner," meaning unloaded and locked (Azrael et al., 2018).

These findings clearly point to the fact that improper firearm security is the biggest contributor to the high rate of unintentional shootings by children.

# Why Educating Children Won't Work

Although many gun owners believe educating their children about proper gun usage will prevent these tragic unintentional shootings from occurring, this is not a reliable enough prevention method. A study that analyzed children living in households with firearms found that "fifty-nine percent of children could not identify a real versus toy gun in a picture" (Fraser et al., 2020).

Despite the fact that educating children about proper usage of guns can be helpful, it is not enough to prevent devastating incidents when firearms fall into the hands of naïve, curious children. Research clearly demonstrates that the best way to prevent unintentional shootings by children is through proper firearm security.

Research on safe storage that has been completed indicates that safe storage is the best way to minimize unintentional shootings by children. As this report will demonstrate, the rates of unintentional shootings by children in states with and without strong safe storage laws further exacerbates the necessity of incentivizing safe storage of firearms.

# **Lack of Research on Gun Violence Prevention Methods**

# The Dickey Amendment

In 1992, the CDC utilized its violence prevention division to create a center focused on reducing deaths and injuries from violence, and particularly, gun violence (Rostron, 2018). As a result of this research, the CDC was accused "of being biased against guns," and those opposed to this research "began lobbying for the elimination of the injury prevention center" (Rostron, 2018). Although the center was permitted to stay open, Representative Jay Dickens of Arkansas spearheaded an effort to add "a provision to a 1996 spending bill declaring that '[n]one of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control" (Rostron, 2018).

In addition to this block on gun violence prevention research, "Congress also stipulated that \$2.6 million of the CDC's budget, which was the amount spent on firearm injury research during the previous year, would be specifically earmarked for research on

traumatic brain injuries" (Rostron, 2018). After this initial passage, Congress continued to include the Dickey Amendment "every year in the appropriations legislation that funds the CDC" (Rostron, 2018). Because the language of the amendment is ambiguous, the Dickey Amendment resulted in a widespread lack of funding for gun violence prevention research. For example, "CDC grant guidelines characterized the restriction that way, warning that 'CDC's funds may not be spent on political action or other activities designed to affect the passage of specific Federal, State, or local legislation intended to restrict or control the purchase or use of firearms" (Rostron, 2018).

Although the initial goal of this amendment was simply to prevent research that unethically advocated for gun control, it subsequently resulted in a lack of funding for virtually all gun violence prevention research.

# Recent Efforts to Combat the Historical Lack of Research

In 2018, the federal spending bill passed with the Dickey Amendment again, despite the fact that numerous Congressional members wanted to eliminate it (Rostron, 2018). However, there was a report published with the 2018 federal spending bill specifically stating: "[w]hile appropriations language prohibits the CDC and other agencies from using appropriated funding to advocate or promote gun control, the Secretary of Health and Human Services has stated the CDC has the authority to conduct research on the causes of gun violence" (Rostron, 2018). This was an effort to continue preventing unethical research advocating for gun control, while permitting research on gun violence prevention tactics to remedy the lack of research in this field due to the Dickey Amendment passage in 1996. Research in this field has sped up in recent years; however, strong research takes awhile to build up.

Because of the long history of the Dickey Amendment and restrictions on funding for gun violence prevention research, there is a pretty severe lack of research in this field. Although specific tactics to reduce gun violence outside of safe storage are continuing to be researched, there are some conclusions that can be drawn from the little bit of research completed and common situations in which gun violence occurs.

From the research that has been done, as discussed above, and the situations in which unintentional shootings by children occur, it is clear that improving safe storage laws and incentives is a strong first step in reducing gun violence in general and specifically, unintentional shootings by children.

# EVIDENCE ON EXISTING INTERVENTIONS IN VIRGINIA

# **Current Firearm Security Laws in Virginia**

Virginia law §18.2-56.1 states that it is "unlawful for any person to handle recklessly any firearm so as to endanger the life, limb or property of any person," and the violation of this law is a Class 1 misdemeanor (Virginia General Assembly, 2024B). The law further states that "any person who handles a firearm in a manner so gross, wanton, and culpable as to show a reckless disregard for human life and causes the serious bodily injury of another person resulting in permanent and significant physical impairment is guilty of a Class 6 felony" (Virginia General Assembly, 2024B).

Although these laws address reckless handling of a firearm, they do not address proper security of a firearm. The only Virginia law currently applicable to reckless security of a firearm is §18.2-56.2, which states: "it shall be unlawful for any person to recklessly leave a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of fourteen" (Virginia General Assembly, 2024C). The violation of this law is a Class 1 misdemeanor (Virginia General Assembly, 2024C). This is the only Virginia law addressing improper security of firearms, and this law also only applies to situations impacting children under 14 rather than all minors.

Additionally, in Virginia, the penalty for a Class 1 misdemeanor includes "confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both" (Virginia General Assembly, 2024A). Even if an individual improperly secures a firearm around a child under 14, the penalty is less than a year of jail time and/or a maximum fine of \$2,500. Compared to other states, these laws on firearm security are drastically less expansive.

Twenty-six states, including Virginia, have adopted some form of child access and/or secure storage laws (Everytown for Gun Safety, 2024B). However, despite the widespread prevalence of these types of laws in general, some states have significantly stricter safe storage laws than others. The current Virginia laws on improper firearm security are significantly less strict, detailed, and comprehensive than other states. Therefore, it is imperative to analyze whether or not stricter safe storage laws in Virginia would aid in decreasing the number of unintentional shootings by children in Virginia.

# **Unintentional Shootings by Children in Virginia**

In 2024, there were 12 unintentional shootings by children in the state of Virginia (Everytown for Gun Safety, 2024A). With a population of 8.811 million people, this means that 1.362 out of every 1 million people would have experienced an unintentional shooting by a child in Virginia in 2024 (United States Census Bureau, 2024).

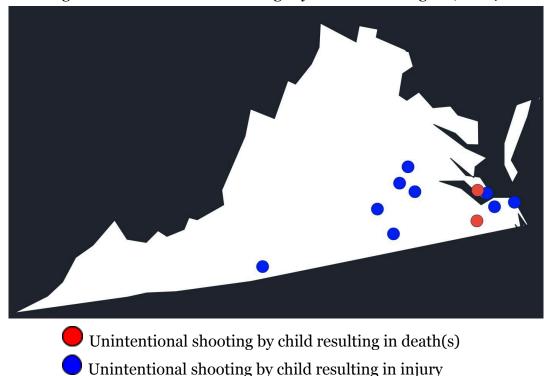


Figure 2: Unintentional Shootings by Children in Virginia, 2024<sup>2</sup>

These instances have steadily increased in recent years, with only 7 occurring in 2020 – this translates to a 71% increase in unintentional shootings by children over just 4 years (Everytown for Gun Safety, 2024A). The increase in these tragedies in recent years reflects a clear necessity for swift legislative action to reduce this problem.

# Past Efforts to Incentivize Proper Firearm Security in the State of Virginia

Despite the fact that Virginia law only classifies improper firearm security around children under 14 as a misdemeanor, there have been other recent efforts to incentivize firearm owners to properly secure weapons. More specifically, in 2023, both Houses of the Virginia General Assembly passed House Bill 2387, titled "Income tax, state; firearm safety device tax credit," and Governor Youngkin signed the bill into law (Virginia

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<sup>&</sup>lt;sup>2</sup> The figure for unintentional shootings by children in Virginia in 2024 is provided through Everytown for Gun Safety accessed at: https://everytownresearch.org/maps/notanaccident/

General Assembly, 2023). This bill "establishes a nonrefundable income tax credit for taxable years 2023 through 2027 for individuals who purchase one or more firearm safety devices, as defined in the bill, in an eligible transaction, as defined in the bill...in the amount of up to \$300 for the cost incurred in such purchase" (Virginia General Assembly, 2023). The purpose of this bill was to incentivize Virginia firearm owners to purchase and utilize firearm safety devices, with the intention of reducing gun violence, including unintentional shootings by children. However, although this bill was a step in the right direction, it is not yet doing enough.

Despite the fact that there were more than 423,000 individuals with gun ownership licenses in Virginia in 2022, only 1,905 individuals utilized this tax credit in 2023 (World Population Review, 2024; Englander, 2024).

There are many reasons why this bill may not be succeeding as much as policymakers may have hoped, ranging from taxpayers being unaware of the bill, taxpayers remaining unsure of how to claim this credit, or a lack of takeup because of the difficult process to obtain the credit. Regardless of the reason, it is clear that further action is needed.

# Past Efforts to Incentivize Proper Firearm Security in Virginia Cities

Although there have not been education mandates through schools to incentivize proper firearm security on the state level in Virginia, various cities throughout the state and country "have committed to sending home information annually on the critical importance of secure storage" of firearms using the Be SMART framework from Everytown for Gun Safety (Everytown for Gun Safety, 2022). Be SMART is an acronym meant to represent some important components of proper firearm security and handling, including: "Secure all firearms in your home and vehicles," "Model responsible behavior around firearms," "Ask about the presence of unsecured firearms in other homes," "Recognize the role of firearms in suicide," and "Tell your peers to be S-M-A-R-T" (Everytown for Gun Safety Support Fund, 2025). The website for Be SMART clearly spells out this acronym and includes videos and other data to support the importance of these firearm security measures, along with other data about the risks of improper firearm security (Everytown for Gun Safety Support Fund, 2025).

Various school districts in Virginia have passed resolutions mandating the spread of the Be SMART framework to parents and guardians through school systems, including: Loudon, Fairfax, Albemarle, Alexandria, Arlington, Charlottesville, Montgomery, and Virginia Beach (Everytown for Gun Safety, 2022; Fox, 2024; Gillespie, 2024). This overwhelming support for this method of incentivizing proper firearm security through education from school systems could result in similar statewide legislation in the future.

# POLICY ALTERNATIVES FOR EVALUATION

**Alternative I: Stricter Sentencing:** Increase the sentence for improper security of a firearm around a child from a misdemeanor to a felony

As previously mentioned, Virginia law §18.2-56.2 classifies reckless security of a firearm around a child under fourteen as a misdemeanor (Virginia General Assembly, 2024C). Although the law penalizes those who improperly secure a firearm around a child, there are other states that have significantly stricter sentencing for this crime. Nevada, Michigan, and other states, have made improper security of a firearm around a child potentially a felony, depending on the severity of the incident, level of improper security, and knowledge of the motivation of the potential act. Less frequent unintentional shootings by children per capita in many other states with stricter sentencing suggests this policy could increase proper firearm security in Virginia.

To enact this policy, Virginia legislators would pass an amendment to the current law in both houses of the General Assembly and get it signed by the Governor. After the policy is enacted, no further action is needed to put this policy in place – the policy itself will be utilized in the court system in future cases involving unintentional shootings by children in Virginia.

# **Alternative II: Clearer Definitions:** More clearly define proper and improper security of a firearm in Virginia law

Although Virginia law mentions improper security of a firearm in numerous places, there is no clear definition of proper and improper security under Virginia law. It is possible that this lack of clarity has contributed to firearm owners not understanding how to properly secure a firearm. Numerous other states clearly define proper security to protect firearm owners and ensure they are clear on what safe storage entails. More clearly defining proper firearm security under Virginia law would ensure Virginia firearm owners are clear on what proper security means, in addition to making cases involving unintentional shootings by children easier to prosecute.

To enact this policy, Virginia legislators would add this definition to the §18.2-56 section of Virginia code, the section dealing with other firearm security laws. This addition to the law would be passed by both Houses of the Virginia General Assembly and signed by the Governor. After the policy is enacted, no further action is required to put this policy in place, unless legislators also hope to educate citizens about the change in the law.

# **Alternative III: Mandate Education Through Schools:** Mandate that school systems provide information to parents about proper firearm security

As demonstrated by the literature, few gun owners with children truly store firearms in a safe manner (Azrael et al., 2018). Additionally, there is a major misconception of how well children recognize and understand firearms compared to how parents perceive their children's understanding (Fraser et al., 2020; Salhi et al., 2021). Therefore, there is reason to believe that greater understanding would better incentivize parents to properly secure firearms from children.

One of the most effective ways to reach parents is through school systems. The Virginia General Assembly could pass a law that mandates school systems provide parents with information on how to properly secure firearms at the beginning of each school year, as some cities in Virginia and other states have already done on the local level (Everytown for Gun Safety, 2022).

To enact this policy, Virginia legislators would pass legislation in both houses of the General Assembly and get it signed by the Governor mandating that school systems provide parents information about safe firearm security. This legislation could include specifics on the information required, or it could mandate that pre-existing firearm security information, through programs like Be SMART, is what is distributed (Everytown for Gun Safety, 2022). The state government would be unlikely to provide funding for this education mandate, so school systems would be required to pay for the distribution of these materials. This policy would then be implemented through school systems providing teachers with flyers to send home with students or give to parents at the beginning of the school year, ensuring that parents of children are aware of how to properly secure firearms and the potential risks if they do not.

Alternative IV: Mandate Education & Tax Credit Information Through Gun Sellers: Mandate that licensed gun sellers provide information to consumers about proper firearm security and the 2023 gun safety device tax credit

As demonstrated by the literature, many firearm owners in households with children do not secure firearms safely (Azrael et al., 2018). This could be due to a lack of gun safety devices, or simply because of a lack of knowledge about safe firearm storage. To ensure that a lack of knowledge is not the source behind improper firearm security, the state government could mandate that every licensed gun seller in the state of Virginia informs customers about proper firearm security.

Additionally, in 2023, both houses of the Virginia General Assembly passed House Bill 2387, "establish[ing] a nonrefundable income tax credit...in the amount of up to \$300"

for taxpayers who purchase a gun safety device (Virginia General Assembly, 2023). Despite the fact that \$300 is a significant amount of money to reduce the financial burden of gun safety devices, the literature demonstrated that less than 0.5% of licensed gun owners in Virginia utilized this tax credit in 2023 (World Population Review, 2024; Englander, 2024). With the significant financial benefit this tax credit provides, it is likely that gun owners are simply unaware of this credit they can claim. Further education about this tax credit may incentivize gun owners to utilize this tax credit if they have purchased a gun safety device or incentivize gun owners to purchase gun safety devices who do not own them yet. In either situation, this would help to increase safe firearm storage in Virginia because gun sellers are naturally an efficient way to reach the target population, firearm owners.

To enact this policy, Virginia legislators would pass legislation in both houses of the General Assembly and get it signed by the Governor mandating that licensed gun sellers provide customers information about proper firearm security and the tax credit. Like the prior policy alternative, this legislation could include specifics on the information required, or it could mandate that pre-existing firearm security information, through programs like Be SMART, is what is distributed. The state government would be unlikely to provide funding for this education mandate, so gun sellers would be required to pay for the distribution of these materials. This policy would be implemented through gun sellers giving a printed sheet to customers with every single purchase of a firearm, firearm safety device, ammunition, or other firearm-related item, ensuring that firearm owners are all aware of how to properly secure firearms and the potential consequences if they do not, as well as the tax credit they can claim.

# **EVALUATIVE CRITERIA**

In evaluating the policy alternatives that Virginia legislators might use to increase proper firearm security around children, I use the following criteria:

# **Effectiveness**

The primary goal in increasing proper firearm security around children is to decrease the rates of unintentional shootings by children in Virginia. As such, any proposed policy alternative must decrease unintentional shootings by children. In measuring the effectiveness of an alternative, I will consider how likely the policy is to decrease unintentional shootings by children and by how much these shootings will decrease.

To do this, I will utilize data from before and after a similar law was implemented in another state or city if available.<sup>3</sup> If this data is not available, I will estimate how many citizens this law is likely to reach after implementation and utilize data to estimate how likely citizens are to be influenced by the law, based on the influence of previous similar laws. This process is the best way to estimate the likely impact of each policy on unintentional shootings by children in Virginia.

Alternatives will be assigned a score ranging from Low to High Effectiveness based on the predicted reduction in unintentional shootings by children. High Effectiveness is most optimal.

I will be assigning weights to these criteria as I evaluate them because some are naturally more important to consider than others. As effectiveness is the primary goal, this will be assigned a weight of 45%.

# **Political Feasibility**

Because every single policy alternative involves a potential law – it must be approved by both houses of the Virginia General Assembly and the Governor – political feasibility of each alternative is extremely important.

To assess political feasibility, I will evaluate the current party makeup of the Virginia General Assembly and Governor. If a similar policy alternative has been proposed in another state, I will use the success of the policy in the context of that state's political makeup compared to Virginia. If a similar policy has not been proposed in the current

 $<sup>^3</sup>$  To view a visual comparison of rates of unintentional shootings by children in Virginia compared to other states utilized in analysis, see Appendix A.

Virginia General Assembly or another state with a similar political environment, I will consult with my client, a current Virginia Delegate, to estimate how likely the proposed policy is to pass. Although this is not a surefire way to determine every single vote, it is the best way to estimate how likely each potential policy would be to pass in the current Virginia General Assembly.

Alternatives will be assigned a score ranging from Low to High Political Feasibility based on the predicted likelihood of being passed by both houses of the Virginia General Assembly and signed by the Governor. High Political Feasibility is most optimal.

Because political feasibility is so important to consider for these policy alternatives (all involving legislation), this will be assigned a weight of 35%.

#### **Cost & Administrative Burden**

With the passing of any new legislation, there will ultimately be costs and administrative burdens incurred. In ensuring any new legislation is feasible, it is therefore important to consider who will incur these costs and administrative burdens. With the policy alternatives above, this could range from the state government to court systems to school districts to gun sellers. Because different actors would be impacted with each different alternative, it is therefore relevant to consider costs in the context of who they will be placed upon. Although estimating costs of legislation is difficult, this criterion will focus more on the actual monetary cost of implementing such legislation.

To do this, the cost will be estimated based on the monetary amount required to enforce the legislation for the necessary population. Then, who this cost will fall upon will also be considered. Ultimately, this will convey how much of a monetary and administrative burden is to be expected from the legislation and who will be responsible.

Alternatives will be assigned a score ranging from Low to High Cost and Low to High Administrative Burden based on the predicted monetary cost of each policy alternative and the severity of the administrative burden in the context of the budgets of the party that will incur the costs. Low Cost and Administrative Feasibility is most optimal.

Although cost and administrative burden is important to consider, it is drastically less important for this project than effectiveness and political feasibility. Therefore, this criterion will be assigned a weight of 20%.

# ASSESSMENT OF ALTERNATIVES

Based on the proposed policy alternatives and evaluative criteria, this section will offer an analysis and recommend a course of action for Virginia legislators.

**Alternative I: Stricter Sentencing:** Increase the sentence for improper security of a firearm around a child from a misdemeanor to a felony

# **Effectiveness**

In order to approximate the effectiveness of increasing the sentence from a misdemeanor to a felony, I utilize data on the frequencies of unintentional shootings by children per capita from other states that have raised the sentence for improper security of a firearm around a child from a misdemeanor to a felony. Like the rest of firearm laws in states throughout the U.S., there are some differences in the exact wording and use of the law; however, this data provides the best possible reference to analyze potential effectiveness.

Nevada law states: "A person who aids or knowingly permits a child to...handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian...any firearm of any kind for hunting or target practice or for other purposes...is guilty of a misdemeanor" (Nevada Legislature, n.d.). The law then specifies that "for a first offense, if the person knows or has reason to know that there is a substantial risk that the child will use the firearm to commit a violence act, is guilty of a category C felony" (Nevada Legislature, n.d.). Similarly, "for a second or any subsequent offense," a person "is guilty of a category B felony" (Nevada Legislature, n.d.). In contrast to other state laws, Nevada law increases the sentence of improper firearm security of a firearm around a child or letting the child obtain the firearm to a felony based on whether the adult knew of the risk and whether it was a first time offense or not.

After "voters in Nevada passed a background checks initiative in 2016, legislators in the state have enacted several significant gun safety laws," including "requiring that guns be stored securely to prevent access to children" (Everytown for Gun Safety, 2025). As this policy has taken root in recent years, it is relevant to look at the impact on the number of unintentional shootings by children. The population of Nevada in 2015 was 2.869 million people, and there were 2 unintentional shootings by children (MacroTrends, 2025; Everytown for Gun Safety, 2024A). This means that 0.70 out of every 1 million people would have experienced an unintentional shooting by a child in Nevada. By 2019, Nevada's population grew to 3.091 million people; however, the number of

unintentional shootings by children dropped to 0 (MacroTrends, 2025; Everytown for Gun Safety, 2024A). As the law carrying a felony sentence for improper security or lack of permission for a child to obtain a firearm took root over just three years, there was a significant decrease in the number of unintentional shootings by children in Nevada.

Table 1: Unintentional Shootings by Children in Nevada Before & After Stricter Sentencing Law

Year	Number of Unintentional Shootings by Children <sup>4</sup>	Population <sup>5</sup>	Unintentional Shootings by Children Per 1 Million People
2015	2	2.869 million	0.70 people
2019	0	3.091 million	0

Similarly, Michigan law states: "it is a misdemeanor punishable by fines and/or jailtime if, because a firearm was left unsecured or unsafely stored, a child obtained the firearm and either possessed it in public or possessed it in a careless, reckless, or threatening manner around someone else" (University of Michigan Institute for Firearm Injury Prevention, 2025). However, "it is a felony punishable by fines and/or jailtime if, because a firearm was left unsecured or unsafely stored, a child obtained the firearm and either wounded or killed themselves or someone else with it" (University of Michigan Institute for Firearm Injury Prevention, 2025).

The population of Michigan in 2023 was 10.08 million people, and there were 18 unintentional shootings by children (United States Census Bureau, 2024; Everytown for Gun Safety, 2024A). This means that 1.79 out of every 1 million people would have experienced an unintentional shooting by a child in Michigan. Michigan enacted stricter safe storage laws in February 2024; however, the number of unintentional shootings by children rose to 24 in 2024 (University of Michigan Institute for Firearm Injury Prevention, 2025; Everytown for Gun Safety, 2024A). With a population of 10.14 million people in 2024, this means that 2.367 out of every 1 million people would have experienced an unintentional shooting by a child in Michigan (United States Census Bureau, 2024). It is possible that the new safe storage laws simply have not yet had enough time to significantly impact unintentional shootings by children with their implementation only beginning in February 2024; however, it is true that the number of

<sup>&</sup>lt;sup>4</sup> The number of unintentional shootings by children in Nevada is provided through Everytown for Gun Safety accessed at: https://everytownresearch.org/maps/notanaccident/

<sup>&</sup>lt;sup>5</sup> The population of Nevada is provided through MacroTrends accessed at: https://www.macrotrends.net/global-metrics/states/nevada/population

unintentional shootings by children per capita increased in Michigan even with the stricter laws.

Table 2: Unintentional Shootings by Children in Michigan Before & After Stricter Sentencing Law

Year	Number of Unintentional Shootings by Children <sup>6</sup>	<b>Population</b> <sup>7</sup>	Unintentional Shootings by Children Per 1 Million People
2023	18	10.08 million	1.79 people
2024	24	10.14 million	2.367 people

These two case states indicate that effective stricter sentencing for improper security of a firearm around a child could have an impact on decreasing unintentional shootings by children, but it is not completely clear what the result would be in Virginia. However, over time, there could be an impact in Michigan more similar to the effect in Nevada. Therefore, this alternative is predicted to have **medium** effectiveness in Virginia.

# Political Feasibility

Nevada and Michigan are good comparisons to predict the political feasibility of this law in Virginia as well. To best assess the political feasibility of this alternative, results from the 2024 Presidential election and the position of members of the Virginia General Assembly are the most helpful predictors.

In the 2024 election, President Trump won Nevada with 50.6% of the vote and Michigan with 49.7% of the vote (The Associated Press, 2025). Both of these states leaned more Republican than Virginia, as Vice President Harris won Virginia with 52.1% of the vote (The Associated Press, 2025). Given that more Republican states generally favor less stringent gun legislation, this policy alternative being passed in Nevada and Michigan would suggest that this policy alternative would be supported by Republican members of the Virginia General Assembly.

However, Democrats in the Virginia General Assembly are highly unlikely to vote in favor of any new policy that increases sentencing for any crime. The current General Assembly Democrats have consistently voted against policies that are perceived as

<sup>6</sup> The number of unintentional shootings by children in Michigan is provided through Everytown for Gun Safety accessed at: https://everytownresearch.org/maps/notanaccident/

<sup>&</sup>lt;sup>7</sup> The population of Michigan is provided through the United States Census Bureau accessed at: https://www.census.gov/data/tables/time-series/demo/popest/2020s-state-total.html

"tough on crime," and many Virginia voters disagree with "aggressive policing and sentencing" (Justice Forward Virginia, 2022). Although this policy alternative would likely limit gun violence among children, which may garner some Democrat votes, it is still unlikely that most Democrats would vote in favor of this policy because Virginia Democrats know that many voters would likely be frustrated with any policy that involves stricter sentencing, and thus, more jail time.

Although there is currently a Republican Governor and Republican General Assembly members would be likely to support this policy as other Republican states have passed this legislation, the Democrats in the Virginia General Assembly would likely vote against this policy alternative. There is a chance that this could pass if enough Democrat votes flipped, but it is not likely. Therefore, this policy alternative has **low-medium** political feasibility.

#### Cost & Administrative Burden

There is no immediate cost to the state for simply passing further legislation; however, the cost for this policy alternative would be incurred when individuals who are found guilty of improperly securing a firearm around a child are placed in jail due to the felony, rather than a fine and no jail time with a misdemeanor. In Virginia, the jail time for a felony can range from one year to imprisonment for life (Virginia General Assembly, 2025A). Assuming Virginia followed Nevada's example and classified improper security of a firearm around a child as a Class 3 felony, this would result in jail time ranging from five to twenty years (Nevada Legislature, n.d.; Virginia General Assembly, 2025A).

Per the "Woodrum bill," the state must anticipate at least "\$50,000 minimum if impacts are unclear" from a law that will result in additional jailtime for citizens and therefore a greater cost to the state for housing inmates (Virginia Public Access Project, n.d.). However, it is possible to better predict the cost to the state if this policy alternative is passed. The "average operating cost per inmate per day" in FY 2023, the most recent year for which this complete financial data has been published, was \$145.18 (Virginia General Assembly, 2024D). There were 12 unintentional shootings by children in Virginia in 2024 as a result of improper security of a firearm (Everytown for Gun Safety, 2024A). If there was no diminution in shootings, this would result in a cost to the state to house inmates charged with improper security of a firearm around a child of \$3,245,142.00 over the next five years.

However, part of the purpose of this policy is to deter individuals from improperly securing firearms around children, so this number would likely decrease. Even if this rate only decreased by 50%, this would result in a cost to the state of \$1,622,571.00 over

the next five years to house inmates. In 2024, the total cost to the state for housing all Virginia inmates was \$1,115,700,000.00, meaning the state will pay \$5,578,500,000.00 to house inmates in Virginia over the next 5 years, assuming costs and number of inmates remains roughly the same (Virginia General Assembly, 2024D).

Although the monetary cost of enacting this policy is high, housing even 12 inmates convicted of improper security of a firearm over the next five years would only be 0.06% of the state's budget for housing inmates. Therefore, this policy would involve a **high** cost but contextually **low** administrative burden to the state.

# **Alternative II: Clearer Definitions:** More clearly define proper and improper security of a firearm in Virginia law

# **Effectiveness**

Because this is simply a definition within the law, it is difficult to completely isolate the effect of this expanded definition on unintentional shootings by children; however, the best way to assess this involves looking at other states that have implemented this definition.

Texas specifically defines "secure" storage as "tak[ing] steps that a reasonable person would take to prevent the access to a readily dischargeable firearm by a child, including but not limited to placing a firearm in a locked container or temporarily rendering the firearm inoperable by a trigger lock or other means (Texas Legislature, n.d.).

In 2024, Texas had 22 unintentional shootings by children, with a population of 31.29 million people (Everytown for Gun Safety, 2024A; United States Census Bureau, 2024). This means that 0.703 out of every 1 million people would have experienced an unintentional shooting by a child in Texas in 2024.

Similarly, Wisconsin states that an individual is not guilty of improperly securing a firearm around a child if "the firearm is stored or left in a securely locked box or container or in a location that a reasonable person would believe to be secure," "the firearm is securely locked with a trigger lock," "the person who stores or leaves the loaded firearm reasonably believes that a child is not likely to be present where the firearm is stored or left," or "the firearm is rendered inoperable by the removal of an essential component of the firing mechanism such as the bolt in a breech-loading firearm" (Giffords Law Center to Prevent Gun Violence, 2023).

In 2024, Wisconsin had 9 unintentional shootings by children, with a population of 5.961 million people (Everytown for Gun Safety, 2024A; United States Census Bureau, 2024). This means that 1.510 out of every 1 million people would have experienced an unintentional shooting by a child in Wisconsin in 2024.

In contrast to Texas and Wisconsin, Virginia had 12 unintentional shootings by children in 2024, with a population of 8.811 million people (Everytown for Gun Safety, 2024A; United States Census Bureau, 2024). This means that 1.362 out of every 1 million people would have experienced an unintentional shooting by a child in Virginia in 2024.

Table 3: Comparison of Unintentional Shootings by Children in Virginia v. Texas & Wisconsin in 2024

State	Number of Unintentional Shootings by Children <sup>8</sup>	Population <sup>9</sup>	Unintentional Shootings by Children Per 1 Million People
Virginia	12	8.811 million	1.362 people
Texas	22	31.29 million	0.703 people
Wisconsin	9	5.961 million	1.510 people

Whereas the number of unintentional shootings by children per capita is less in Texas than Virginia, it is greater in Wisconsin than Virginia. As aforementioned, it is difficult to isolate the effect of a change in definition in the law; however, if these states are to be used as case studies, it is assumed that this policy would have **low-medium** effectiveness.

# Political Feasibility

Texas and Wisconsin are good comparisons to predict the political feasibility of this policy as well. To best assess the political feasibility of this policy, results from the 2024 Presidential election and the stances of members of the Virginia General Assembly are the most helpful predictors.

In the 2024 election, President Trump won Texas with 56.2% of the vote and Wisconsin with 49.7% of the vote (The Associated Press, 2025). Both of these states leaned more Republican than Virginia, as Vice President Harris won Virginia with 52.1% of the vote (The Associated Press, 2025). Given that more Republican states generally favor less stringent gun legislation, this policy alternative being passed in Texas and Wisconsin would suggest that this policy alternative would be supported by Republican members of the Virginia General Assembly.

Additionally, because this law does not involve a change in any sentencing or directly oppose any of the current attempts for criminal justice reform from the Democrats in the Virginia General Assembly, it is likely that this policy would also be supported by Democrats. Therefore, because this policy will likely be heavily supported by members

<sup>8</sup> The number of unintentional shootings by children per state in 2024 is provided through Everytown for Gun Safety accessed at: https://everytownresearch.org/maps/notanaccident/

<sup>&</sup>lt;sup>9</sup> The population per state in 2024 is provided through the United States Census Bureau accessed at: https://www.census.gov/data/tables/time-series/demo/popest/2020s-state-total.html

of both parties in the Virginia General Assembly, this policy has **high** political feasibility.

# Cost & Administrative Burden

Because this policy does not involve any sort of direct action, there is no cost incurred by the state with this policy. If the state decided to spread education about this update, there would be some cost; however, alerting the public about a law change still has an extremely low cost. Therefore, this policy alternative results in a **low** cost and administrative burden for the state.

# **Alternative III: Mandate Education Through Schools:** Mandate that school systems provide information to parents about proper firearm security

# **Effectiveness**

This policy alternative has not been passed on a state-wide level before, so the best way to predict the effectiveness of this policy is to look at the impact of a similar education mandate through schools on other non-gun-related issues. Although there is not a strong comparison with another education mandate that was meant to reach parents, the effectiveness of other public education campaigns in schools for students is the best comparison.

One of the longest-standing public education campaigns for students involves sexual education courses provided in public schools. In a meta-analysis of 48 comprehensive sexual education programs, it was found that "forty percent of the programs delayed the initiation of sex, thirty percent reduced the frequency of sex, and sixty percent reduced the incidence of unprotected sex" ("Sex Education in Schools," 2015, 285). Additionally, while California originally "had the nation's highest teenage pregnancy rate...it had reduced that rate by over half" after the implementation of sexual education programs over the next twenty years ("Sex Education in Schools," 2015, 285; NationSwell Team, 2025). Despite the fact that twenty years is a long time for a policy to have a major impact, the effectiveness of the policy is still clear.

If the success of sexual education courses is to be used as a comparison, if an education mandate about proper firearm security increases parents' awareness and practice of safe security of firearms resulting in a 30, 40, or even 60% decrease in unintentional shootings by children in Virginia, this would be a remarkable impact. Compared to the 12 unintentional shootings by children in Virginia in 2024, a 30% decrease would result in 8, a 40% decrease would result in 7, and a 60% decrease would result in 5 (Everytown for Gun Safety, 2024A). Even if this education mandate through schools only reduced unintentional shootings by children by 30%, this is still a dramatic impact when considering the devastating effects of a lack of this reduction.

Because the effectiveness of sexual education is not a perfect comparison for an education mandate on proper firearm security for parents, it cannot be assumed that the same level of impact would be seen; however, it is clear that public education campaigns through schools do have a significant impact on their target population. Despite the fact that sexual education programs took awhile to have drastic effects, it is clear that they were still extremely effective. Therefore this policy would have **medium** effectiveness because of its strong impact over a long period of time.

# Political Feasibility

The motivation for this policy alternative stemmed from school districts in Virginia recently passing resolutions mandating local school systems to provide information to parents about proper firearm security. More specifically, numerous school districts throughout the country "have committed to sending home information annually on the critical importance of secure storage," utilizing the Be SMART framework from Everytown for Gun Safety as the model for the type of information they are sending home to parents (Everytown for Gun Safety, 2022). In Virginia, Loudon, Fairfax, Albemarle, Alexandria, Arlington, Charlottesville, Montgomery, and Virginia Beach school districts have passed Be SMART resolutions (Everytown for Gun Safety, 2022; Fox, 2024; Gillespie, 2024). Although many of these districts lean liberal, there are also some significant Republican local leaders. The Be SMART safe storage resolutions being passed in these districts, and many other school districts in other states, serves as a promising indicator of this being politically feasible.

Additionally, in contrast to many other legislative efforts focused on gun violence that do involve limiting access to firearms, this is simply an education mandate. As Governor Youngkin and numerous other Republican members of the Virginia General Assembly want to address gun violence in ways that do not infringe upon Second Amendment rights, raising awareness about proper firearm security is a way to work toward decreasing gun violence among children without any impact on firearm ownership and access. Therefore, this policy has **high** political feasibility.

# Cost & Administrative Burden

Because the cost of distributing these education materials would fall on school systems, it is important to consider the cost and administrative burden of printing these materials for public schools in Virginia.

If schools were to utilize a professional printing service for these documents, such as FedEx, it would cost \$0.24/page to print (FedEx, 2025). The cost per page decreases as the number of pages printed increases. Because school systems already possess printers within their schools, the cost of printing a page would likely be significantly less than utilizing a professional printing service, dropping the price by ~50%.

There are currently 1,261,387 students enrolled in Virginia public schools (Virginia Department of Education, 2025). If school systems used the most expensive option, professional printing of documents at \$0.24/page, this would cost \$302,732.88 for the entire state of Virginia. With the printing capabilities already within schools, this would decrease to \$151,366.44. With 135 school divisions in Virginia currently, this would

translate to each school division paying roughly \$700-\$2,000, depending on the enrollment in the division, to provide education materials on safe storage to each household in Virginia public schools (Weldon Cooper Center for Public Service, 2024).

This monetary cost is not insignificant, especially with schools frequently requesting more funding; however, school divisions spend "\$17.3 billion on K-12 operations" on average (Joint Legislative Audit & Review Commission, 2023). The cost required to implement this policy would be roughly 0.000004 to 0.0000116% of the current spending for school divisions, and the time spent printing these materials would also be insignificant if the information required was already clarified by legislators. Therefore, this policy would involve a **low** cost and administrative burden for public school systems in Virginia.

Alternative IV: Mandate Education & Tax Credit Information Through Gun Sellers: Mandate that licensed gun sellers provide information to consumers about proper firearm security and the 2023 gun safety device tax credit

# **Effectiveness**

Although there is not another state that has utilized education mandates through gun sellers to increase proper firearm security and decrease unintentional shootings by children, there have been similar voluntary efforts in other states to reduce unintentional gun deaths. More specifically, at one time, New Hampshire had a high rate of firearm accidents per capita, specifically involving suicides (New Hampshire Firearm Safety Coalition, 2017). From 1983-1987, there were 17 deaths as a result of firearm accidents (New Hampshire Firearm Safety Coalition, 2017). In 1994, various groups interested in decreasing gun violence, including gun sellers, formed the New Hampshire Firearm Coalition to produce education materials to reach firearm customers about firearm safety and ways to recognize at-risk individuals to reduce accidental firearm deaths (New Hampshire Firearm Safety Coalition, 2017). The Coalition then provided these education materials to gun sellers who agreed to distribute them to consumers, and this has resulted in more than a 50% decrease in unintentional gun deaths in New Hampshire since the beginning of the New Hampshire Firearm Coalition (New Hampshire Firearm Safety Coalition, 2017).

The education distributed by gun sellers in New Hampshire contributed to a significant decrease in unintentional gun deaths, and this was only through gun sellers who voluntarily agreed to distribute these materials. Despite the fact that this 50% decrease took roughly 25 years, the effect of this policy would be swifter if all gun sellers in Virginia were required to implement this policy, rather than only gun sellers who volunteered like in New Hampshire. This policy alternative would mandate that all Federal Firearm Licensed gun sellers in Virginia provide education about proper firearm security and the gun safety device tax credit. With a greater number of gun sellers providing these materials than in New Hampshire, there would be an even greater, faster impact throughout the state of Virginia.

In addition to providing information about proper firearm security, education about the tax credit will further incentivize individuals to utilize and/or purchase firearm safety devices. "The cost of quality gun safes start around \$100 and go up based on the level of security, the size and any added convenience features," so individuals will learn that they can obtain high quality gun safety devices with little to no cost if utilizing this tax credit (Maximum Security Safes, 2025). This policy will raise awareness about proper firearm security and relieve the financial burden that many firearm owners perceive as a barrier for safe storage of their firearms. Therefore, with the effectiveness of similar

efforts done by only a portion of New Hampshire gun sellers and the added incentive for proper firearm security due to the gun safety device tax credit, this policy would likely result in at least a 50% decrease in unintentional shootings by children in a much quicker time period than in New Hampshire, resulting in **high** effectiveness.

# Political Feasibility

In contrast to many other legislative efforts focused on gun violence that do involve limiting access to firearms, this is simply an education mandate. As Governor Youngkin and numerous other Republican members of the Virginia General Assembly want to address gun violence in ways that do not infringe upon Second Amendment rights, raising awareness about proper firearm security is a way to work toward decreasing gun violence among children without any impact on firearm ownership and access. Although this policy does involve an additional cost and burden to gun sellers, framing this policy as a way to decrease gun violence that does not limit firearm access, and therefore, also does not limit the profits of gun sellers, should still ultimately result in overall support from Republican legislators.

Additionally, Governor Youngkin spearheaded the 2023 tax credit for firearm safety devices to incentivize proper firearm security (Virginia General Assembly, 2023). Ensuring firearm owners are aware of this tax credit and utilize it would maximize a policy that Governor Youngkin and other Republican General Assembly members favor.

Finally, many Democrats advocating for efforts to reduce gun violence believe that members of the gun manufacturing and distribution community should be involved in these efforts. Organizations like Students Demand Action have started campaigns focused on the idea that "the gun industry is rarely held accountable for the harm, death, and trauma its products cause" (Students Demand Action, 2025). With this sentiment, Democrats in the Virginia General Assembly would likely support a policy involving gun sellers in spreading awareness about proper firearm security.

For different reasons, both sides of the aisle in the Virginia General Assembly would likely support education mandates from gun sellers about proper firearm security and the firearm security device tax credit, even with the potential for initial pushback from gun sellers. Therefore, this policy has **medium-high** political feasibility.

# Cost & Administrative Burden

Because the cost of distributing these education materials would fall on gun sellers, gun sellers would have the capability to use their own profits to fund this or add a fee to transactions to pay for the printing of these materials.

If gun sellers were to utilize a professional printing service for these documents, such as FedEx, it would cost \$0.24/page to print (FedEx, 2025). The cost per page decreases as the number of pages printed increases. In 2023, there were roughly 581,598 gun sales in Virginia (Gabriele, 2024). Assuming gun sales remain roughly the same in Virginia, this means that this policy would cost a total of \$139,538.52 for gun sellers. With 4,094 active Federal Firearms Licensees in Virginia, this translates to roughly \$34.09 per dealer, if the assumption is made that all dealers receive an equal number of customers (which is not the case) (Rydberg, 2021). With the variance in the number of customers each gun seller encounters, this realistically would range from \$20-\$70.

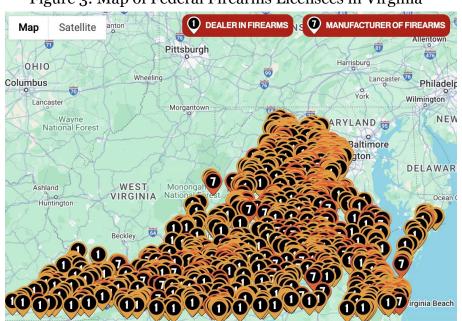


Figure 3: Map of Federal Firearms Licensees in Virginia<sup>10</sup>

Given the profits that gun sellers receive, \$20-\$70 of their annual profits would represent a very low cost and an even lower percentage of operating expenses. If gun sellers instead chose to add a fee to each transaction to cover the cost of these materials, such as \$0.30 per transaction, this would still be an extremely small impact to customers given the expense of purchases at gun stores. Especially because "Virginia firearms dealers are required by law to collect a fee of \$2.00 from Virginia residents for every transaction which requires a criminal history record information (CHRI) check," an additional \$0.30 would be extremely insignificant (Virginia State Police, 2025). Therefore, this policy results in a **low** cost and administrative burden.

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<sup>&</sup>lt;sup>10</sup> The figure for Federal Firearms Licensees in Virginia is provided through the Violence Policy Center accessed at: https://gunindustryaccountability.org/map/

# **OUTCOMES MATRIX**

	Effectiveness (45%)	Political Feasibility (35%)	Cost & Administrative Burden (20%)
Alternative I: Stricter Sentencing	Medium	Low-Medium	High Cost, Low Administrative Burden
Alternative II: Clearer Definitions	Low-Medium	High	Zero to Low Cost, Low Administrative Burden
Alternative III: School Education Mandate	Medium	High	Low-Medium Cost, Low Administrative Burden
Alternative IV: Gun Seller Education & Tax Credit Mandate	High	Medium-High	Low Cost, Low Administrative Burden

# RECOMMENDATION

Based on the evaluation of each policy alternative on measures of effectiveness, political feasibility, and cost and administrative burden, it is clear that the fourth policy alternative, **mandate education and tax credit information through gun sellers**, is the best course of action. This policy alternative will likely be extremely effective, will likely garner support from both sides of the aisle, and involves a predominantly low cost and administrative burden to gun sellers. It is my recommendation that Delegate Cherry moves forward with proposing legislation to mandate gun sellers provide proper firearm security and gun safety device tax credit information with every transaction.

# **IMPLEMENTATION**

Although mandating education and tax credit information through gun sellers could have a positive impact on unintentional shootings, correct implementation is vital to the success of this policy. In considering potential things that could go wrong or derail the success of the policy, it is imperative to think about the way the legislation is framed, the cooperation and honesty of gun sellers, and the consistency of the information distributed.

# Framing to Pass the Policy

Delegate Cherry's roles and reputation in the Virginia General Assembly enable him to be an effective advocate for this policy. His role as a member of the Education and Health and Human Services Committee puts him in the perfect position to propose this type of legislation (Virginia General Assembly, 2025B). At its core, gun violence is a public health issue. Additionally, because this policy will focus on the number of unintentional shootings by children, his position on the Education Committee will also be key. In addition to these roles, Delegate Cherry also has the reputation of being a strong bipartisan legislator. For example, he sponsored legislation "ending Virginia's lifetime disenfranchise policy for people convicted of felonies," which resulted in "unexpected alliances, with libertarian-leaning Americans for Prosperity-Virginia and the ACLU of Virginia" (Moomaw, 2022). His relationships and alliances with members on both sides of the aisle will be beneficial in garnering support for this policy.

In addition to Delegate Cherry's bipartisan reputation, this policy would have a higher likelihood of passing if he co-sponsored it with another Democrat legislator who has also demonstrated a commitment to effective, bipartisan legislation. This would further unify members on both sides of the aisle in favor of the policy. As Delegate Cherry and his co-sponsor work to garner support, the importance of framing the policy correctly to members on both sides of the aisle cannot be overstated. As Delegate Cherry speaks to other Republican members of the General Assembly, he must remind them that as unintentional shootings by children increase, Democrats will continue to push for legislation decreasing gun violence. Future legislation may involve far more restrictive policies infringing upon the Second Amendment. To prevent this type of legislation from happening, it is imperative that Republicans work to pass legislation decreasing gun violence now, and the proposed policy works toward that goal without infringing upon Second Amendment rights. For Delegate Cherry's Democrat co-sponsor, this policy must be framed as a step in the right direction to decreasing gun violence, even if it is not as comprehensive as the Democrats would like. If this policy is not framed correctly in a manner that effectively garners support from both sides of the aisle, it will not pass.

# Cooperation & Support of Gun Sellers

It is likely that this policy will result in some pushback from gun sellers, particularly because it does involve an increased cost and administrative burden. However, like how the policy must be framed to Republican legislators, this policy must also be framed to gun sellers as a way to decrease gun violence in a manner that will not decrease their long-term sales or result in any limitations to firearm access. In fact, this policy may actually increase their sales – as more consumers become aware of the gun safety device tax credit, purchases of gun safety devices will likely increase. Although the state repays consumers for the purchase of these devices, gun sellers retain the money from the purchase. Therefore, it is imperative that gun sellers are made aware that this policy may actually increase their sales. This would undoubtedly lead them to favor the policy and serve as potential partners in the initiative.

Additionally, to ensure the success of this policy, the cooperation of gun sellers and their honesty with legislators is paramount. If this policy is passed, it will not succeed if gun sellers are not actually distributing this information with every transaction. If the policy is truly implemented correctly and this information is distributed with every transaction, it could have a significant positive impact.

Gun sellers are also one of the best messengers to deliver information incentivizing proper firearm security – they do not want firearm sales to decrease, so their only motive could be increasing the safety of children. Messengers that do not have an ulterior motive are best received, so the cooperation of gun sellers is vital for this policy's successful implementation.

# Policy Writing Consistency

In drafting this policy, it is vital that information distributed by gun sellers is clear and consistent. If legislators do not provide clear information for gun sellers to distribute, the quality of this education mandate will deteriorate. Whether it is the Be SMART secure storage program and a simple reiteration of the tax credit law or a different way of wording this information, legislators must be clear in the language of the policy. The policy will also be most effective if the information about proper firearm security is written in a manner harmonious with the language of the pre-existing tax credit, making it even easier for consumers to understand and go through with properly securing their firearms. Clarity and consistency in the language of the legislation will ensure gun sellers do not bear the burden of deciphering which information to include and that the same information is universally distributed, ultimately maximizing the potential effectiveness of the policy.

# Worst Case Scenario Analysis

Because this policy requires the involvement of many different parties for maximum success, there are a lot of places where this implementation could go wrong. Ensuring the policy is clearly written, framed correctly to garner support, and results in the support and cooperation of gun sellers will result in maximum success; however, it is valuable to consider what could go wrong to prevent the success of the policy's implementation and potential negative consequences if implementation is not successfully done.

First and foremost, if the policy does not pass and become legislation, that is simply the end of it. That is why the framing and bipartisan co-sponsorship of the policy is so important. Even if the policy is passed, if the language about the information distributed is not clear, the policy will have a minimal effect. Additionally, if gun sellers do not cooperate and are not consistent with the information distribution, the policy will also have minimal influence. If the policy passes, but either of the two latter components are not implemented correctly, the policy will not result in any negative effects – it simply won't be as effective as possible.

Trying to implement this policy, successful or not, will not have any negative effects on the state of Virginia. The key parts of implementation and ways to mitigate the risk of failure are outlined above, and it is vital that these portions of the implementation process are closely monitored to try to prevent failure. If implemented successfully, this policy could have drastic positive effects on increasing proper firearm security and decreasing unintentional shootings by children.

### CONCLUSION

Nearly four hundred children were involved in shootings in the United States in 2024 that were preventable.

Figure 4: News Headlines of Unintentional Shootings by Children<sup>11</sup>



It is time to stop seeing headlines like these, and it is unacceptable to let this devastating issue go unaddressed as the lives of children are at risk from preventable danger. Policymakers must act now to ensure there are not more little lives lost that could have been saved.

Mandating education about proper firearm security and the 2023 gun safety device tax credit through licensed gun sellers in Virginia presents a timely and effective solution to this devastating problem. Gun sellers are an effective way to reach firearm owners and have served as an untapped resource in efforts to reduce gun violence. While other alternatives, such as stricter sentencing or education mandates to reach parents through schools, may result in a decrease in improper firearm security, this recommended approach is highly effective without further burdening the state financially or running the risk of wasting resources.

<sup>&</sup>lt;sup>11</sup> The images for News Headlines of Unintentional Shootings by Children are provided through Fox & NBC News accessed at: https://www.instagram.com/besmartforkids/p/DDK8hbQNfJM/?img\_index=1 & https://www.instagram.com/nbcnews/p/DEIYFvrOBil/?locale=hi\_IN%2F&hl=am-et&img\_index=2

With clear steps for implementation and major positive long-term projections, this policy serves as the best way to incentivize proper firearm security and decrease unintentional shootings by children in Virginia. By balancing effectiveness and political feasibility, with simultaneously low costs, it provides an immediate, sustainable solution to incentivizing proper firearm security without infringing upon Second Amendment rights. By enacting this education mandate, policymakers can take a vital step toward educating Virginians about proper firearm security, minimizing the financial burden of safe storage, and saving the lives of children in Virginia.

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## **APPENDICES**

# Appendix A: Rates of Unintentional Shootings by Children in Virginia Compared to Other States in 2024

Table 1: Visual Comparison of Unintentional Shootings by Children in Virginia v. Other States

State	Number of Unintentional Shootings by Children in 2024 <sup>12</sup>	State Population in 2024 <sup>13</sup>	Unintentional Shootings by Children in 2024 Per 1 Million People
Virginia	12	8.811 million	1.362 people
Nevada	3	3.267 million	0.918 people
Michigan	24	10.14 million	2.367 people
Texas	22	31.29 million	0.703 people
Wisconsin	9	5.961 million	1.510 people

<sup>&</sup>lt;sup>12</sup> The number of unintentional shootings by children per state in 2024 is provided through Everytown for Gun Safety accessed at: https://everytownresearch.org/maps/notanaccident/

<sup>&</sup>lt;sup>13</sup> The population per state in 2024 is provided through the United States Census Bureau accessed at: https://www.census.gov/data/tables/time-series/demo/popest/2020s-state-total.html

# **Appendix B: Cost & Administrative Burden Calculations**

## Alternative I: Stricter Sentencing

Cost of Housing Additional Inmates with No Diminution in Unintentional Shootings by Children in Virginia

- FY 2023: \$148.18 per inmate per day
- Cost to house 1 inmate per year: \$148.18\*365 = \$54,085.70
- Number of unintentional shootings by children in Virginia in 2024: 12
- Cost to house 12 inmates per year due to this policy: \$54,085.70\*12 = \$649,028.40
- Jail time for Class 3 felony: 5-20 years
- Cost to house inmates convicted of this Class 3 felony over 5 years: \$649,028.40\*5 = \$3,245,142.00
- With 50% decrease in improper security of a firearm around a child, cost to house inmates convicted over 5 years: \$3,245,142.00/2 = \$1,622,571.00
- Total cost to house all Virginia inmates in 2024: \$1,115,700,000.00
- Total cost to house all Virginia inmates over the next 5 years (with estimated similar costs and number of inmates): \$1,115,700,000.00\*5 = ~\$5,578,500,000.00

Administrative Burden of Housing Additional Inmates with No Diminution in Unintentional Shootings by Children in Virginia

• Percentage of budget to house inmates in Virginia spent on housing 12 inmates over 5 years: (\$3,245,142.00/\$5,578,500,000.00)\*100 = 0.06%

# Alternative II: Clearer Definitions

No cost to the state.

# Alternative III: Mandate Education Through Schools

Cost of Printing Materials to Distribute to Parents of All Children in Virginia Public Schools:

- Cost per page using professional printing service: \$0.24/page
- Cost per page using printers already in schools: ~\$0.12/page
- Number of students currently enrolled in Virginia public schools: 1,261,387
- Cost to print 1 handout per student in Virginia public schools using professional printing services: \$0.24\*1,261,387 = \$302,732.88
- Cost to print 1 handout per student in Virginia public schools using pre-existing printing capabilities in schools: 0.12\*1,261,387 = ~\$151,366.44
- Number of school divisions in Virginia: 135
- Cost to school divisions in Virginia to print 1 handout per student: \$151,366.44/135 = \$1,121.23
  - With varying enrollment per school division, likely to be ~\$700-\$2,000

Administrative Burden of Printing Materials to Distribute to Parents of All Children in Virginia Public Schools

- Average cost of operations for K-12 schools in Virginia: \$17.3 billion
- Percentage of budget to print handouts for all students in Virginia public schools:
  - 0 (\$700/\$17.3 billion)\*100 = 0.000004%
  - (\$2,000/17.3 billion)\*100 = 0.0000116%

## Alternative IV: Mandate Education & Tax Credit Information Through Gun Sellers

Cost of Printing Materials to Distribute to All Consumers Through Federal Firearms Licensees in Virginia:

- Cost per page using professional printing service: \$0.24/page
- Number of gun sales in Virginia in 2023: 581,598
- Cost to print 1 handout per gun sale in Virginia: \$0.24\*581,598 = \$139,583.52
- Number of Federal Firearms Licensees in Virginia: 4,094
- Cost to dealer to print 1 handout per gun sale in Virginia: \$139,583.52/4,094 = \$34.09/dealer
  - $\circ$  With varying customers per seller, likely to be  $\sim$ \$20-\$70