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OUR NEVER-ENDING AMERICAN TRAGEDY

*California's gun laws are the "strongest in the U.S."
Tell that to its citizens. And its cops.*



For Police Issues by Julius (Jay) Wachtel. Located northwest of Bakersfield, the placid community of Wasco lies amidst vast fields of roses, a colorful commodity that the area produces in great abundance. But on July 25 the town of about 25,000 became the latest venue of our never-ending American tragedy. That's when a deeply troubled resident, [Jose Manuel Ramirez Jr., 41](#), opened fire with an AK-47 type rifle and a handgun, killing his wife, Viviana Ruiz Ramirez, 42, and their two sons, Jose Manuel Ramirez III, 24, and Angel Manuel Ramirez, 17.

[Neighbors alerted 9-1-1 to the gunfire](#) and reported that victims had been shot. When deputies arrived Jose Ramirez fired at them from inside the home. They backed off and summoned SWAT. Soon two armor-clad deputies approached on foot to attempt a rescue. Firing through a window, Martinez unleashed another barrage. His rounds struck and killed Deputy Phillip Campas and wounded his partner, Deputy Dizander Guerrero. Ramirez holed up for hours, then tried to climb onto the roof. Deputies shot him dead. As it turns out Ramirez was a felon, thus legally barred from possessing firearms. [A domestic violence restraining order](#) had also been issued prohibiting him from having guns.

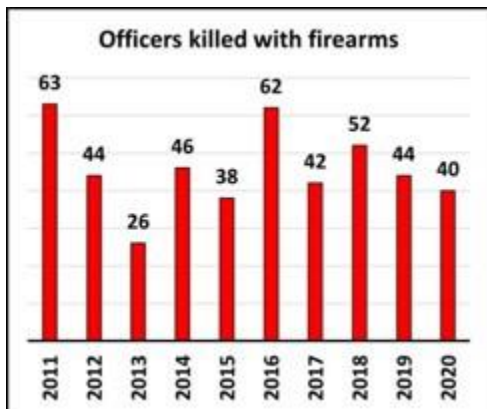
According to the [Gun Violence Archive](#), in 2021 the Golden State suffered [twenty-eight "mass shootings"](#) (four or more wounded or killed other than the gunman) through July 29. Our essays have mentioned several. "[Two Weeks, Four Massacres](#)" described the March 31 episode when a disgruntled middle-aged man burst into an Orange County business and opened fire with a pistol, killing four including a nine-year old. (He was wounded and captured.) Two months later another angry man packing

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three pistols and multiple magazines [murdered nine coworkers at a San Jose rail yard](#), then took his own life.

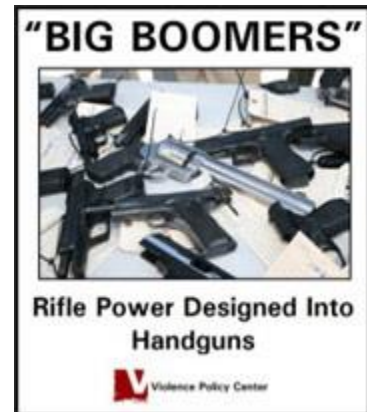
Our [gun massacre essays](#) have harped about the ghastly toll for years. But [a recent survey](#) indicates that a majority of the Golden State’s residents “believe gun control laws are effective in reducing crime.” A notable gun-control organization, [Giffords](#), holds California up as a model of sanity. After all, it boasts the nation’s strongest gun laws and one of its lowest gun death rates. Cause and effect! But [our recent analysis](#) of state-level data using the *r* statistic (it ranges from zero, meaning no relationship, to 1.0, a perfect association) found that gun laws are far less important a factor than economic conditions.

	Homicide	Gun homicide	Mass Shooting
Gun law strength	-.33	-.20	-.23
Gun ownership	.26	.17	.84
Pct poverty	.74	.72	.63



Guns don’t just imperil ordinary citizens. Four-hundred fifty-seven American law enforcement officers were killed by hostile gunfire during the last decade ([LEOKA Table 31](#)). Seventy-one percent (325) fell to handgun rounds, and twenty-one percent (95) to bullets fired from rifles. Most of the carnage was produced by powerful, modern-day weapons. Sixty-six percent (214) of the handgun fatalities were caused by 9mm. and .40/.45 caliber pistols. AR-15 type (cal. 223 cal./5.56 mm.) and AK-47 type (7.62 mm.) weapons accounted for fifty-seven percent (54) of deaths from rifle fire.

It’s not just about assault rifles. “[Two Weeks](#)” pointed out that “the muzzle energy of ammunition fired by today’s 9mm. pistols can be twice or more that of the .38’s and .380’s that were popular when your writer carried a badge.” But when assault weapons *are* involved, watch out! As [our Washington Post op-ed](#) warned two years ago, even the hardest protective vests can prove ineffective against the unseemly ballistics of military-style weapons that are routinely marketed for civilian use. LEOKA reported that sixteen of the seventeen officer deaths between 2011-2020 which involved penetration of body armor were caused by projectiles fired



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from rifles ([Table 39](#)). Ten were of the AR-15 and AK-47 type. The only penetration fatality attributed to a handgun was caused by the highly lethal 5.7 X 28 mm. round fired by a [“big boomer” pistol](#), really an assault weapon in disguise.

But don't California's "strong" gun laws prohibit "assault weapons"? Technically yes, but [the devil is in the details](#). For example, if a gun has a removable magazine, it can't sport features such as a protruding pistol grip. Wily manufacturers have adapted with a host of legal variants. Here, for example, are the



“California legal” versions of the weapons Syed Farook and Tashfeen Malik used to murder fifteen in the [2015 San Bernardino massacre](#) (DPMS Panther Arms on the left, Smith & Wesson M&P15 on the right.) Both fire the same extremely lethal .223/5.56mm. bullet as the AR-15. Readily slicing through doors, walls, and bullet-resistant inserts in protective vests, these fearsome rounds produce [massive, often unsurvivable wound cavities](#) wherever they strike. Ballistics-wise, though, California (just like the Feds) only imposes one restriction: caliber must fall below .50. Job done!

Really, if cops could do all their work from armored cars, that's where many would prefer to remain.

Fast-forward to 2021. According to [LEOKA's running count](#), twenty-nine U.S. law enforcement officers fell to hostile gunfire during the first six months of this year. [Five served in California](#). Three were reportedly victims of pistol fire, and two of projectiles discharged by assault-style rifles:

- Sacramento County deputy sheriff Adam Gibson, [murdered on January 18, 2021](#) by an ex-con armed with a pistol. Another officer was wounded.
- San Luis Obispo Police Department detective Luca Benedetti, [murdered on May 10, 2021](#) by a burglary suspect armed with an assault rifle. Another officer was wounded
- Stockton Police Department officer Jimmy Inn, [murdered on May 11, 2021](#) by an ex-con armed with a pistol.

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- Sergeant Dominic Vaca, San Bernardino County Sheriff's Office, [murdered on May 31, 2021](#) by an assailant armed with a pistol.
- Kern County deputy sheriff Phillip Campas, one of the Wasco victims, murdered on July 25 with an assault rifle. A colleague was wounded.

Even in supposedly blessed California, lethal gunplay is so frequent that it takes a cop killing, a mass murder or some very unusual circumstances to merit a headline. That threshold was breached a few days ago when a famous “Tik Tok” influencer and his girlfriend [were shot in the head while watching a movie](#) in a darkened Corona theater. Both succumbed to their wounds. Joseph Jimenez, 20, a local resident unconnected with the couple, was arrested the following day, and the handgun he reportedly used was recovered at his residence. A schizophrenic off his meds, [Jimenez told authorities](#) that “voices in his head” provoked the attack. “I wish I didn’t do it,” he said.

Of course, it’s not just about California. New York State is [also held up as a “national model”](#) by Giffords, which ranks the Empire State’s gun laws as [fifth strongest](#) in the U.S. Here’s a recent headline from the *New York Times*:

Mass Shooting in Queens Leaves 10 Wounded

As seven bystanders were injured in a shooting, Eric Adams called on New York City authorities to intensify efforts against gangs and guns.

[Giffords also has high praise for Illinois](#). After all, its gun laws are supposedly eighth strongest. So here’s a headline we originally scoured from the *Chicago Tribune*:

At least 55 people shot, 7 fatally, this weekend in Chicago. One man slain after brick was thrown through his window.

But while wrapping up this piece we learned that on Saturday evening, August 7, [Chicago police officer Ella French was shot and killed](#) and her partner was critically wounded by an occupant of a vehicle they stopped while on patrol in the Seventh police precinct. (That area, which encompasses the Englewood & West Englewood neighborhoods, is so violence-ridden that we singled it out in [“The Usual Victims”](#).) During the exchange of fire, the shooter was also wounded, and three persons are now in custody. Here’s the *Chicago Tribune*’s headline:

Two Chicago police officers among 47 people shot in weekend violence that left one cop dead

What to do? “[A ‘Ban’ in Name Only](#)” and our [Washington Post op-ed](#) suggest that firearms lethality could be measured with “a scoring system that takes characteristics such as ballistics, rapid-fire capability, lack of recoil, accuracy and portability into account.” Guns that exceed certain parameters could be banned. But unless we really, *really* long for another American Revolution, sharply curtailing the lethality of firearms (and, as well, drastically reducing the number in circulation) are likely out of reach. When it comes to serious gun control, our badly fractured land may indeed be “[A Lost Cause](#).”

Not so the U.K. One year after a 27-year old British subject gunned down sixteen persons with a handgun and two rifles in the [Hungerford Massacre of 1987](#), Great Britain enacted the “[Firearms \(Amendment\) Act 1988](#),” which banned semi-automatic rifles beyond .22 rimfire. And after the [Dublane school massacre of 1996](#), when a man armed with four handguns murdered sixteen children and a teacher, Great Britain essentially [banned handguns](#) beyond super-long barreled .22's. (Click [here](#) for U.K. gun laws and turn to pp. 17-18 for the prohibitions.)

These restrictions continue to enjoy abundant public support. As well they should. During the one-year period ending March 2020 [695 persons were murdered in the U.K.](#) (England and Wales.) With a population of 67,081,000, its per/100K homicide rate was 1.0. To compare, in 2019 [our land suffered 16,425 homicides](#). With a population of 328,239,523, America's per/100K murder rate comes in at 5.0, *five times* the U.K.'s. And while a measly *thirty* (4.3%) of the U.K.'s homicides were by shooting (sharp instruments were far more common) guns figured in [nearly three out of every four](#) (73.7%) murders in the U.S.

What about cops? “[A Lost Cause](#)” contrasted murders of police officers in the U.S. and the U.K. between 2000-2015. During that period Great Britain's yearly toll hovered around *one*. Using data from LEOKA Table 28 and accounts from the U.K.'s [Police Roll of Honour Trust](#), here's an update:

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U.S.				Officers feloniously killed		U.K.			
	Guns	Other	Total				Guns	Other	Total
2016	62	4	66	<div style="border: 1px solid black; padding: 5px; text-align: center;"> U.S. 5 X pop., 7 X cops </div> <div style="text-align: center;">↓</div> <div style="border: 1px solid black; padding: 5px; text-align: center;"> U.S. cops v. U.K. cops </div> <div style="border: 1px solid black; padding: 5px; text-align: center;"> 2016 - 2021 </div> <div style="text-align: center;">↓</div> <div style="display: flex; justify-content: space-around;"> Gun deaths All deaths </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> 277 X 77 X </div>	2016	0	0	0	
2017	42	4	46		2017	0	2	2	
2018	52	5	57		2018	0	0	0	
2019	44	4	48		2019	0	1	1	
2020	41	5	46		2020	1	0	1	
2021	36	8	44		2021	0	0	0	
Total	277	30	307	Total	1	3	4		

Back to fixing things. Your writer spent his first career chasing gun traffickers. Many used “straw buyers” to buy guns singly and in quantity from gun stores in the same or neighboring States. Some got their guns directly from licensed dealers who corruptly pushed them “out the back door.” However they acquired their guns, street dealers promptly resold them at considerable profit to criminals and thugs. Many of these weapons turned up quickly in crimes. (Click [here](#) for the writer’s published article about gun trafficking in Los Angeles.)

Straw buyers feeding illegal street dealers continues to be a major source of crime guns. Addressing this problem is the objective of a new Department of Justice initiative (click [here](#) for a news account and [here](#) for DOJ’s press release.) New York City [recently reported](#) a major “bust.” We heartily support such efforts. Still, trafficking casework consumes prodigious resources. Investigators must identify potential violators, conduct extensive surveillance, and execute warrants to search and arrest. Considering the massive numbers of firearms that are manufactured and sold each day, it’s unlikely that even the best investigative efforts can substantially reduce the lethal toll.

Ditto, fine-tuning the law. Illinois, for example, [recently enacted a regulation](#) that directs State police to confiscate firearms from persons whose firearms ID cards have been revoked, say, because of a felony conviction, but who apparently kept their guns. Background checks will also be required for private party gun transfers beginning in 2024. To be sure, these are promising steps. But no one with any experience in such things would claim that they’re likely to make a substantial dent on violence overall.

Perhaps nothing can. But some determined citizens are refusing to give up. Despite bankrupt Remington Arm’s offer to settle for \$33 million, the families of the twenty-six students and teachers who were murdered in the [2012 Sandy Hook elementary school massacre](#) are [pressing on with their lawsuit](#). They insist they will prevail because in their

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view the [Federal law that shields gun makers and sellers from litigation over gun misuse](#) doesn't apply. According to the plaintiffs, Remington violated Connecticut law – the school was located in Newtown – by purposely marketing the assault weapon used in the attack to appeal to the violence-prone.

It's not just Americans who are upset. Mexico [recently filed a Federal lawsuit](#) against Smith & Wesson, Colt, other gun makers and a wholesaler, alleging that negligent gun marketing practices have fostered a huge, illegal inflow of guns that greatly imperils its citizens. As someone who has worked “guns to Mexico” cases, your writer heartily agrees.

Given the nature of our society and its body politic, tweaking the rules seems the only option. But even the hardest legal response (e.g., California's) has had at best only a limited effect. What *would* work – drastically shrinking the number of guns in citizen's hands and sharply curtailing the lethality of what remains – seems well out of reach. We're not Britannia! That's why when it comes to gun control, *Police Issues* tends to despair. Yet there's been some momentum. Hopefully the final chapter of Reasonable Americans v. Guns is yet to be written.