



## Cover Story

### In the line of fire

[Print Page](#)

*Two suicides have occurred at a New Albany shooting range in less than two years. Is it coincidence, or cause for concern?*

**BY STEPH GREGOR**

Published: Thursday, February 25, 2010 12:28 PM EST

Those who knew her were shocked at the news that Jacqueline Scott had ended her life. Just 24-years-old, Scott was a graduate student and teaching assistant in the arts program at Ohio State University and described as "happy" by her students. No one would have guessed that in January, she would drive to the AimHi New Albany Shooting Range, sign waivers that she understood the dangers of guns, watch a gun safety video, rent a 9 mm pistol, shoot a few rounds at a paper target, put the gun down for a few moments, then pick it back up and shoot herself in the chest.

She was pronounced dead an hour later at Mount Carmel St. Ann's Hospital.

In hindsight, there may have been several points along the way where someone might have intervened had they known the signs. While her students thought Scott was happy, her friends had noticed her mood had shifted. Scott herself could have sought help from any of the many social- and suicide services in the county. But when those lines of defense faltered, the last destination for intervention was the shooting range itself, according to Ohio Suicide Prevention Foundation executive director Carolyn Givens.

"What you're talking about highlights the issue of location and means, which is critical," she said. "It's part of a larger puzzle which is complicated at best."

In fact, it was the second suicide to occur on the AimHi property in 16 months. The first was in September of 2008, when a 59-year-old woman purchased a handgun, then walked into the range's parking lot and killed herself.

Are the two simply coincidence, or cause for concern?

Ohio's 162 shooting ranges have no legal culpability for suicides on their properties. And, according to the federal gun-control Brady Law of 1994, only those purchasing a firearm are required to undergo background checks. Those renting a firearm, as is commonly practiced at ranges, do not.

"Basically, what the Brady Act does is, it makes you do a background check for the transfer of a firearm," said local attorney Derek DeBrosse, who specializes in gun law. "They don't consider renting a gun a transfer, unless they're taking it off the premise."

Scott was on the premise. And she alone pulled the trigger. There were no local, state or federal regulations requiring the shooting range to screen its customers or conduct background checks. But should there be? Are ranges responsible when they provide a gun that leads to suicide?

Health professionals admit that it's difficult for even loved ones to detect when a person may be suicidal, let alone staff at a shooting range. But they should have some degree of accountability, said Givens.



The Ohio Violent Death Registry, which will standardize how Ohio's 88 counties report suicide deaths, is expected to be implemented by the end of the year, said Givens. And, she said, it should provide the statistics needed to start a discussion with legislators on setting public policy to regulate gun rentals and perhaps institute increased safety measures at places like shooting ranges.

Not everyone agrees

"That's ridiculous," said Steve Yuszka, co-owner of the Powder Room shooting range in Powell. Using a suicide registry to regulate the gun industry is like "regulating utensils to stop obesity," he said.

There is no state or federal governing body overseeing shooting ranges or gun rentals. In fact, when interviewing multiple state and local legislative authorities for this article, all were hard-pressed to identify a single piece of legislation that addresses the issue, up to and including the Ohio Attorney General's office, which referred The Other Paper to Derek DeBrosse, a local attorney specializing in gun laws.

"Basically, shooting ranges are regulated by zoning ordinances on where they can be," said DeBrosse.

Both the city of Columbus and Franklin County require a special permit for indoor firing ranges, above and beyond the usual zoning requirements. The permits are focused primarily on sound and safety issues as they relate to the surrounding neighborhood and the safety of others within the shooting range, according to the ordinances.

None of the local ordinances, or the Ohio Revised Code, address criminal liability of a gun range should someone come in and rent a gun that leads to a crime on the premises.

"In terms of criminal prosecution, our office would not be involved," said Franklin County Prosecutor Ron O'Brien, adding that no laws exist to charge a gun range with any liability in a death on their property.

"The only lawsuit I would foresee (someone) bringing is a wrongful death suit for negligence," said DeBrosse. "It's a matter of what the duty of the gun range is and if they breeched that duty. And as long as they're going through reasonable diligence and explaining the risks, I don't think someone would be successful in a civil suit. How can you hold somebody liable for a criminal act using your property? From a legal standpoint it doesn't compute."

According to the Ohio Revised Code, the due diligence of a shooting range in Ohio is to "adopt rules establishing generally accepted standards for shooting ranges. These rules shall be no more stringent than national rifle association standards." Those standards, according to the ORC, need only include, "standards for the limitation and suppression of noise, standards for the hours of operation of shooting ranges of the various types and at the various locations of ranges, and standards for public safety."

AimHi shooting range meets all of those requirements, according to its website, and Jacqueline Scott filled out all of the required paperwork, signed all the waivers and was placed with an instructor for the first few rounds she fired.

AimHi shooting range did not return phone calls seeking comment for this story.

The Powder Room shooting range in Powell also holds itself to the same standards required by the ORC.

Yuszka, the Powder Room co-owner, said that should be enough.

"You're talking about the human psyche, which is still being studied and isn't fully understood," he said, "You can't regulate the human mind. How do you do that? You can't. The human mind is fragile."

And because of its fragility, said Yuszka, it would be impossible and unfair to put the burden of trying to identify possible suicide victims on the shooting ranges.

"If someone is going to commit suicide, they're going to figure out how to do it because they don't want to be alive," Yuszka said.

"It's not something you can do anything about," he added. "Why people do what they do is a study in itself."

But Givens, of the Ohio Suicide Prevention Foundation, argues that while you can't regulate the human mind, you can regulate certain locations that are popular for suicides because of their accessibility to a weapon or their specific location. And the violent death registry will quantify that notion, she said.

Shooting ranges, said Givens, are popular because of the ease to obtain the weapon. In fact, nationally, suicides at gun ranges have been popular since the early 1990s.

"It's been on the radar for a while," said DeBrosse. "The industry knows about this."

There are stories similar to the two AimHi suicides. In Florida, three suicides occurred in April at the Shoot Straight Gun Range & Store, which prompted store policy changes. That range now requires 30-day memberships and all members must have a concealed weapons permit, which requires a background check, according to media reports.

In Bellevue, Wash., Wade's Gun Shop shooting range changed its policy in December, 2000, to no longer allow lone shooters after two suicides occurred there in a five-day period. The policy change approximated no-rental-without-a-partner changes made in 1996 at several San Francisco-area ranges after a run of seven suicides at three different ranges that year.

The shooting ranges have taken the proactive stances to regulate themselves. No one else has the authority.

Givens hopes a suicide registry might help advance safety precautions by bringing the need to light, in black and white statistics. She has been selected to sit on the advisory council of the Ohio Violent Death Registry, which will be run by the Ohio Department of Health and is expected to be implemented by the end of the year. The registry, she said, has been partially funded by the U.S. Centers for Disease Control for a total of three years and is expected to have three staff members.

"This is intelligence we're going to get and make a difference in public policy standards," she said. "It would also allow us to look at intervention methods in a greater way."

She said there are three pieces to the suicide puzzle. One, location, is key to proving to legislators just how important it is to regulate typical suicide locations.

The other two pieces of the suicide puzzle are awareness and intervention, she said.

"The issue has to be an awareness of the warning signs and being more aware of each other, which we get away from in our society," said Givens. "Should the firing ranges be screening? Well, we all need to be aware of the signs and symptoms of depression and drug abuse, because those things go hand-in-hand with suicide ideation."

"The whole point will be to have more discussions on the firing range issue. Is that an issue? In the grand scheme of things, it's part of the puzzle," she said. "Do we need to have a questionnaire available (for someone to fill out that determines suicidal tendencies)? Do we need to have screenings? Do we need to have the signs and symptoms posted? It could be a deterrent."

Whether that deterrent is stricter regulation of gun rentals or simply hanging signs will be up to the Ohio legislature, said Givens. Yuszka thinks the idea is preposterous.

"I think that would be more of a discussion for some high level psychologist on whether someone would read a sign and say 'Oh, I shouldn't commit suicide because they have a sign,'" said Yuszka. "It's like the gun signs outside of banks that say 'No guns.' What is the criminal going to do? Say, 'Oh, I can't rob this bank because there's a sign on the door?' No. It all sounds good, but it doesn't make sense."

DeBrosse agreed that stricter regulation doesn't necessarily make sense from a fiscal perspective, either.

"Is it good fiscal policy to regulate a few hundred businesses?" he asked. "The themes of the Second Amendment, they ring throughout our state constitution. So, do I see a regulatory body being formed to regulate gun ranges? I don't see that happening."

And as for changing legislation to require shooting ranges to run background checks on gun rentals,

DeBrosse said that would financially ruin many of the ranges.

"The burden it would put on businesses—it's substantial," he said. "And more than likely, guns rights organizations would come out against it."

The arguments against stricter regulation are strong, said Givens, but the argument for simple deterrents that could have saved a life like Jacqueline Scott's is equally important.

"I refuse to give up this fight. (Mental health issues) are not going to go away. Ignoring (what's happening at gun ranges) is not going to make this issue go away," she said. "If we can just get information out to the public more readily, I believe that can make a difference."

Copyright © 2010 - The Other Paper

[x] Close Window