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Two years after a 9-year-old killed her shooting instructor with an Uzi, his family has filed a lawsuit

By Sarah Larimer August 26, 2016

The family of a shooting instructor who was accidentally killed by a 9-year-old with an Uzi has filed suit, claiming it was unsafe to give the firearm to the girl.

“The Uzi was not a safe or appropriate weapon to entrust to a 9-year-old girl like the Child Shooter, which caused her to lose control of the weapon when firing,” states the wrongful-death lawsuit filed earlier this month in Mohave County Superior Court.

The lawsuit was filed against the Arizona gun range where the shooting occurred and businesses involved in its operation, attorney Marc Lamber told The Washington Post. It does not name the child who pulled the trigger or her family.

“They feel like she and her parents ... have been scarred enough, they’ve endured enough, by having to live through this,” Lamber said Friday.

Killed in the shooting was Charles Vacca, an instructor at a shooting range about an hour from Las Vegas. The 9-year-old girl involved in the accident later said the gun was “too much for her,” according to a report released by the Mohave County Sheriff’s Department.

The incident, which happened Aug. 25, 2014, turned deadly after Vacca let the girl fire the Uzi on her own. The recoil on the gun sent it straight in the air, and Vacca was hit. He had set the gun to “automatic” before he was killed, video footage of the incident showed.

Vacca was struck in the head and died later that night.

“The Uzi was an inappropriate and unsafe weapon to entrust to a 9-year-old girl like the Child Shooter, thereby creating an unreasonably dangerous and unsafe environment for individuals in the area, including Charles J. Vacca, Jr.,” the lawsuit states.

A message left at the shooting range was not immediately returned Friday.

“What we have here is a complaint that says the operation we saw where Charlie Vacca was killed was fundamentally unsafe. It’s fundamentally unsafe to give machine guns to children,” James Goodnow, another attorney for the Vacca family, told ABC News.

The shooting prompted a debate about gun safety and children, and left many questioning whether someone so young should have been handling the powerful firearm. At the time, The Washington Post’s Sandhya Somashekhar and Mark Berman reported:

The incident, captured in part on a grainy video released by police, drew immediate rebukes from gun-control advocates, who said it highlighted the dangers of children having access to firearms. In a rare moment of agreement, some gun rights advocates also took the incident as a warning that perhaps such young children should not be allowed to handle such a notoriously difficult and deadly weapon.

But the pro-gun advocates added that, when done safely, there are benefits to teaching even very young children to shoot certain guns. Youngsters learn hand-eye coordination. They learn what to do if they stumble upon a weapon on the playground. And they learn how to defend themselves if they are ever attacked.

In the wake of the fatal accident, Vacca's children urged the girl to move on. No charges were issued after the incident.

"Our dad would want you to know that you should move forward with your life," Elizabeth, one of his daughters, says in a video. "You should not let this define you."

"You are only 9 years old," said one of Vacca's sons. "We think about you. We are worried about you. We pray for you. And we wish you peace. Our dad would want the same thing."

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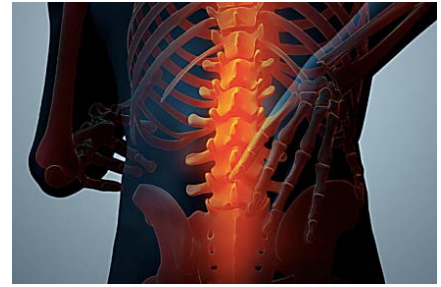
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