

## **Deliberative Dialogue on Gun Violence Issue Brief**

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In the wake of the December 2012 Newtown shooting, which left 20 children and six teachers dead, US President Barack Obama unveiled the most sweeping gun control proposals in a generation, including: a ban on new purchases of “military-style” assault weapons; a ban on the sale of high-capacity (more than 10 rounds) ammunition clips; a ban on possession and sale of armor-piercing bullets; background checks on all gun sales (including private purchases and transactions at gun shows—closing the “gun show loophole”); harsher penalties for gun-traffickers, especially unlicensed dealers who buy arms for criminals; and a new chief of the federal Bureau of Alcohol, Tobacco, Firearms and Explosives. This issue brief adds context to such proposals and asks what works in gun violence prevention. The key takeaways are the United States has by far the highest rate of gun ownership in the world. The US also has the highest rate of homicides among advanced countries. But even as gun ownership increases, gun crime is declining, firearm murders are down, and overall gun violence is down.

### **Gun ownership: an American history**

The Second Amendment of the United States Constitution reads, “A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed”. “Arms” refer to military weapons and those used by a “well-regulated militia” when the Second Amendment was signed in 1787 were mostly long arms that could discharge only once before they had to be reloaded; very different from the arms available today (Lepore, 2012). During the Revolutionary War, militiamen were largely dependent on publicly supplied muskets with bayonets. The Second Amendment was ratified in case the federal government should neglect to sufficiently arm and discipline the militia. The danger was not a tyrannical federal government bent on disarming the people, but rather the people disarmed because of federal inaction (Sweeny & Saul, 2013). In 1792, federal law mandated every eligible man to purchase a military-style gun and ammunition for his service in the citizen militia. But most state militias still lacked the firepower common in regular military service and used guns better suited to “birding, hunting, and pest control” (Sweeny & Saul, 2013).

Militiamen of course defeated the British Army to win independence for the American Colonies. After the Revolutionary War, the standing Continental army was disbanded (as per Article 1, Section 8 of the US Constitution) and the War of 1812, the Mexican War, the US Civil War, and the Spanish-American War were all fought primarily with state militias called to temporary federal service. By the middle of the nineteenth century, the United States had a standing army but only mobilization of National Guard units coupled with a massive conscription effort created a force large enough to fight World War I and World War II overseas. And only after WWII did a large (and well funded) standing army become a permanent fixture of the American landscape. An active-duty army swelled with conscripts fought Vietnam because the National Guard was too busy fighting insurrection at home. And a standing army blended with state militia forces (e.g., National Guard and Army Reserve) fought the Persian Gulf War and more recent conflicts in Afghanistan and Iraq.

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At the end of the US Civil War in 1865, demobilized Union and Confederate troops were permitted to take home their arms, which establishes a base for the modern culture of personal weapons. The National Rifle Association was founded in 1871, in part to promote firearms safety education and marksmanship training for this new generation of gun owners. For most of its history, the NRA was chiefly a sporting and hunting association (see Lepore, 2012). The NRA endorsed both the 1934 National Firearms Act—the first major federal gun law—and the 1938 Federal Firearms Act, which together created a licensing system for dealers and imposed tax and registration requirements on “gangster guns” (e.g., machine guns and sawed-off shotguns) used by prohibition-era organized criminals. And after President John F. Kennedy was murdered in 1963 by a gun purchased through a mail-order advertisement in the NRA’s *American Rifleman* magazine, the organization’s Executive Vice President even testified in favor of banning mail-order rifle sales, noting “We do not think that any sane American, who calls himself an American, can object to placing into this bill the instrument which killed the president of the United States” (as cited in Winkler, 2011). But the 1968 Federal Gun Control Act, enacted after assassinations of Robert Kennedy and Martin Luther King, Jr., which banned mail-order sales, prohibited gun dealers from selling to “dangerous” categories of persons (e.g., juveniles, convicted felons, drug users, former mental patients), and restricted the importation of military-surplus firearms, divided the NRA.

At the same time, establishing a constitutional right to carry a gun for the purpose of *self-defense* became central to the mission of the Black Panther Party. Inspired by Malcolm X’s call for self-defense “by whatever means necessary”, Huey Newton, Bobby Seale, and other young African Americans very publicly tested a California law that allowed people to carry guns in public providing they were visible and not pointed at anyone in a threatening way (Winkler, 2011). In doing so, the Black Panther Party took the instrument that once enforced Jim Crow and white supremacy and turned it into a symbol of black empowerment. Subsequent law-and-order legislation that disarmed black radicals under the auspices of fighting crime and controlling civil unrest was last straw for the NRA (Winkler, 2011). Following a *coup d'état* at the NRA’s annual membership meeting in 1977, the NRA began advancing the argument that the Second Amendment guarantees an individual’s right to carry a gun as a means of *self-defense*, rather than the people’s right to form armed militias to provide for the *common defense*.

The idea that owning and carrying a gun is both a fundamental American freedom and an act of citizenship has only gained wide acceptance in the decades since. In 1986, the NRA’s interpretation of the Second Amendment achieved new legal authority with the passage of the Firearms Owners Protection Act, which repealed parts of the 1968 Gun Control Act by invoking “the rights of citizens ... to keep and bear arms under the Second Amendment” (as cited in Lepore, 2012). States, in turn, widely adopted “concealed carry” and “stand your ground” legislation, the latter pertaining to an extension of the so-called castle doctrine, exonerating from prosecution citizens who use deadly force when confronted by an assailant, even if they could have retreated safely. Then, in 2008, in *District of Columbia v. Heller*, the Supreme Court ruled Washington D.C.’s Firearms Control Regulations Act of 1975—specifically the ban on handguns and prohibition of long guns for self-defense—unconstitutional. But nothing in the opinion, Justice Antonin Scalia wrote, should “be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms” (as cited in Winkler, 2011). Justice Scalia, the champion of originalism, in other words, embraced a living Constitution; which brings us to the present gun control debate.

## **Gun Ownership: by the numbers**

The United States has by far the highest rate of gun ownership in the world. The Small Arms Survey (2007) estimates there are 270 million civilian-owned firearms in the US (up from 230 million in 2001), which translates to 89 guns for every 100 people. Yemen is second highest with 55 guns per 100 people and Switzerland—which requires military service—is third with 46 guns per 100 people; nearly half the gun ownership rate of the US. More guns, however, doesn't necessarily translate into more gun *owners*. According to General Social Survey data, three-quarters of people with guns own two or more and the prevalence of gun ownership has declined steadily in the past few decades. In 2010, for example, one in five Americans owned a gun compared to one in three in 1980. Men are far more likely to own guns than women are. Legal gun ownership is higher among whites than among blacks, higher in rural areas than in urban areas, and higher among older people than among younger people.

Gun ownership numbers are based on public opinion surveys, gun registration records, and expert testimony; hence the reliability of numbers can vary widely from country to country. The Small Arms Survey (2007) gives high and low estimates in addition to the averages presented above. According to Bureau of Alcohol, Tobacco, Firearms and Explosives data, American gun *manufacturing* has increased 64 percent from 3.7 million in 2007 to 6.1 million in 2011. Background-checks likewise increased from 11 million in 2007 to 16.8 million in 2012. But background checks are not an indication of sales because they're not always required (e.g., for personal sales at gun shows in some states) and one purchaser can buy more than one firearm.

Among law-abiding citizens, sport and self-defense are primary motives for gun ownership, although the actual frequency of self-defense incidents is unknown and available evidence that self-defense deters gun crime or reduces harm to victims is ambiguous (NRC, 2005). Indeed, the risks of a gun in the home typically far outweigh the benefits (Hemenway, 2011). By contrast, criminals use guns for protection, to expedite the commission of an offense (e.g., scare or kill the victim), escape, or a combination thereof (Wright & Rossi, 1985). Thankfully the symbolism of firearms typically exceeds their frequency of use. A gun is a ranged weapon that can project violence even when unused—showing the 'bulge' is often enough to gain the respect of rivals, while in robberies, brandishing a weapon typically suffices because people do not wait for proof that it works (Hemenway & Azrael, 2000). Most felons who use a gun during an offense, however, claim no prior intent to fire a gun, suggesting the presence of a gun alone greatly increases the chances of using it (Wright & Rossi, 1985). In other words, when guns are around pushing and shoving quickly escalate into shooting. Moreover, adolescents substantially overestimate the percentage of their peers who carry guns thus are more likely to carry for "protection" against other adolescents supposedly carrying guns (Hemenway et al., 2011).

## **Is gun violence increasing?**

No. Centers for Disease Control and Prevention data show gun homicides are down from 12,791 in 2006 to 11,078 in 2010—about 30 per day. Gun homicides are down even as the nation's population grows. The homicide rate in 2010 (3.6 per 100,000 people) was in fact the lowest since CDC records began in 1981.

CDC gets its data from the National Vital Statistics System, which collects death certificates that every state must file. The CDC data is a more accurate measure of gun murders than the FBI's Uniform Crime Report, which relies on voluntary reporting of law enforcement agencies. Hence

why FBI data show 10,177 gun murders in 2006 and 8,583 in 2011—about 24 per day. But there were 12,664 murders total in 2011, which means firearms caused 68 percent of them.

CDC data includes 400 or so “justifiable homicides” including the use of deadly force by a law enforcement officer, which are not murders. Either way, the number of gun murders is going down. The number of violent gun crimes (e.g., aggravated assaults or robberies committed with guns) is also down. But the number of reported gun injuries is rising. There were 55,544 non-fatal injuries in 2011 resulting from assaults involving guns—up from 44,466 in 2009, according to CDC data. It appears improvements in modern medicine—emergency response, trauma surgery, antibiotics, and wound care—result in people surviving today from injuries that 20 years ago would have killed them. Nevertheless, stab wounds are typically less likely to kill the victim than gunshot wounds, in part because of reduced hydrostatic shock to internal organs (Adelson, 1974). Hence why the case-fatality rate for suicide attempts with guns is higher than other methods, including drug overdoses, cutting, and piercing (Miller et al., 2004).

There are many theories for America’s great crime drop, including what sociologist Norbert Elias called the “civilizing process” (see Payne, 2004; Pinker, 2011; Spierenburg, 2008), better problem-oriented policing (Zimring, 2011), economic shifts, demographic changes, gentrification, diminished demand for crack cocaine, mass incarceration, the deterrent and incapacitation effect of technology, reduced atmospheric lead density (Reyes, 2007), legalized abortion (Donohue & Levitt, 2001), even mean reversion (Harcourt & Ludwig, 2006).

### **Is mass shooting increasing?**

Grant Duwe (2007), director of research and evaluation at the Minnesota Department of Corrections, used FBI Supplementary Homicide Reports and *The New York Times* to identify 116 mass public shootings in the United States during the Twentieth Century; over half of which took place after 1980 (Duwe, 2007). It is important to note these are raw figures; the US had far fewer people 50 or 100 years ago. Duwe’s data highlight 42 additional mass public shootings since 2000 (as cited in Kessler, 2013).

Duwe defines a mass public shooting as an incident in which four or more victims are killed publicly with guns within 24 hours—in the workplace, schools, restaurants and other public places—excluding shootings in connection with crimes such as robbery, drugs, or gangs. Since the 1994 assault weapons ban expired in 2005, there have been 32 such incidents (which translates to approximately 20 percent of all mass public shootings), including seven in 2012 (Kessler, 2013). 2012 was indeed the second worst year for public shootings behind 1991 when eight incidents took place. Invariably, handguns, semiautomatic guns, and rifles are the weapons used to kill suddenly and swiftly (Fox & Levin, 2012). Assault weapons are used in a relatively small number of cases, but they do result in far more wounded victims (Duwe, 2007).

Among the biological factors implicated in mass murder are significant brain pathology, XYY chromosome, blood levels of neurotransmitters, and types and levels of hormones. Psychological factors include psychoses, dissociative disorders, psychoanalytic factors, personality disorders, and psychopathy. Among more sociologically inclined theories are those relating to social disorganization, strain, aggression, adverse childhood experiences (e.g., abuse, having a mentally ill parent, domestic violence against a parent, a household member in prison, divorced parents, or a household member with a drug or alcohol problem), neutralization, labeling, and self or social control (for a review, see Riedel & Welsh, 2011). But ex post facto explanations and an excess of false positives are two major problems with explanations of mass murderers. Case in point: since

psychologist Albert Bandura (1977) first argued media in general, and television in particular, provide a power source of models for aggressive conduct, a large number of studies have shown how popular culture teaches violent behavior (Murray, 2008). But violent media merely acts as a “facilitator” for people already prone to violence. As Peter Langman (2009), in his study of school shooters, explains: “These are not ordinary kids who played too many video games. ... These are simply not ordinary kids”.

### **More guns = less crime?**

In the words of National Rifle Association CEO and Executive Vice President Wayne LaPierre: “The best way to stop a bad guy with a gun is a good guy with a gun” (as cited in Lichblau & Rich, 2012). The NRA’s position is gun availability deters potential criminals. Critics argue more concealed guns equal more disputes resolved with guns, which results in more violent crime. So who is correct?

Four generic types of “concealed carry” laws currently exist: (a) concealed carry prohibited; (b) “may issue” (police have some discretion over who receives a permit); (c) “shall issue” (police must provide a permit to anyone who is not expressly prohibited by statute, as in Minnesota); and (d) unrestricted. According to economist John Lott (2010), “Allowing citizens to carry concealed handguns reduces violent crimes, and the reductions coincide very closely with the number of concealed-handgun permits issued” (p. 20). Lott contends, “When state concealed-handgun laws went into effect in a county, murders fell by about 8 percent, rapes fell by 5 percent, and aggravated assaults fell by 7 percent” (p. 59). Colleague David Mustard (2001) also found “allowing law abiding citizens to carry concealed weapons does not endanger the lives of [police] officers and may help reduce their risk of being killed” (p. 635).

Gun rights advocates often cite Lott and Mustard’s (1997) work but their findings are strongly disputed. The National Research Council (2005), for example, criticized the short time series, small number of jurisdictions, and sensitivity of the data, arguing it was “impossible to draw strong conclusions from the existing literature on the causal impact of these laws” (p. 121). Indeed, crime is down dramatically even in states that have not passed concealed-carry laws. To prove causation would require researchers to discern what would have happened if not for the law, which is almost impossible to model. One of the 17-member committee (the late James Q. Wilson of “broken windows” fame), however, wrote a dissenting opinion arguing the panel treated the Lott-Mustard studies too harshly (NRC, 2005, Appendix A).

Ian Ayres and John Donohue (2003) are perhaps Lott and Mustard’s greatest detractors. Based on an additional five years of county data, seven years of state data, and tests in 14 more jurisdictions, they concluded that while shall-issue laws certainly didn’t increase violence, “the statistical evidence that these laws have reduced crime is limited, sporadic, and extraordinarily fragile” (p. 1201). In a later study, Ayres and Donohue (2009) argue, “the one consistent finding ... is that right to carry laws increase aggravated assault” (p. 229). A literature review on firearm availability and homicide likewise concluded, “changes have neither been highly beneficial nor highly detrimental” (Hepburn & Hemenway, 2008). There are two explanations why: (a) Only a tiny percentage of the population seeks to obtain a concealed weapon permit; and (b) those who do tend to be old, affluent, rural, white males, who are at relatively low risk for either crime perpetration or victimization.

About a third of American public schools already have armed security and that number may increase after the Newtown shootings. Armed teachers are a logical extension of the growing

“homeroom security” movement: metal detectors, random searches, drug-sniffing dogs, radio frequency monitors, surveillance cameras, private security, “school resource officers” (Kupchik, 2010). There is no clear evidence that such measures make public schools safer. Some studies have found a decrease in violence in schools with in-house police officers, while others have found no relationship at all. Based on fieldwork conducted in New York City public schools, Aaron Kupchik (2010) finds “the presence of police in schools is unlikely to prevent another school shooting and the potential for oppression of students—especially poor and racial/ethnic minority youth—is a more realistic and common threat than Columbine” (p. 82).

Law enforcement can’t do much to prevent another Columbine or Sandy Hook, although they may, in a few instances, be able to reduce its severity. But many people in life-or-death situations freeze or shut down entirely. It takes months if not years to learn to circumvent the confrontational tension and fear police officers experience in a gunfight, say firearms instructors (see Ripley, 2013). Alas, teachers are as poorly equipped to take down body-armor wearing bad guys as police officers are to differentiate instruction based on student readiness, interest and learning profile. The chances that an armed officer or educator will shoot a child by accident are high. The chances of arriving officers’ mistakenly shooting a teacher because he or she is seen with a weapon in the aftermath of a shooting incident are higher. Lest we forget the odds of a student being killed at school are about 1 in 3 million, lower than the odds of being struck by lightning. Schools are safer now than they have been in 20 years (Ripley, 2013).

### **More guns = more gun murders?**

Guns and homicides are statistically associated. Areas with a higher prevalence of guns have a higher prevalence of gun homicides. The question is whether the relationship is causal or not. We simply don’t know because of a lack of robust data. The Centers for Disease Control and Prevention has been wary of studying gun issues, for example, after NRA lobbyists convinced Congress to cut into its funding after a series of studies in the mid-1990s were viewed by the NRA as advocating for gun control.

According to the United Nations Office on Drugs and Crime (2010), the firearms homicide rate, and homicide rate overall, is higher in the US than other advanced countries (e.g., Australia, Canada, and those in Europe). The US gun homicide rate was 3.2 per every 100,000 people in 2010. But country-to-country comparisons are difficult and often provide contradictory evidence. For instance, Latin American countries with high levels of firearm homicide show low levels of gun ownership. Honduras has a gun ownership rate of 6.2 per 100 people and a gun homicide rate of 68.43 per 100,000 people. Colombia has a gun rate of 5.9 per 100 people and firearm homicide rate of 27.09 per 100,000.

Gun crime is also not evenly distributed across America. Using a validated proxy for firearm ownership, Miller et al. (2002) analyzed the relationship between firearm availability and homicide across 50 states over a ten-year period (1988–97). After controlling for poverty and urbanization, for every age group, people in states with many guns have elevated rates of homicide, particularly firearm homicide. The FBI’s Uniform Crime Report shows that California had the highest number of gun murders last year—1,790, which is 68 percent of all murders that year and equivalent to 3.25 per 100,000 people in the state. Big as that figure is, it’s still down by 3 percent on the previous year. If you examine the per capita gun murder rate, however, District of Columbia comes out top, with 12 gun murders per 100,000 people; followed by Louisiana (10.16 per 100,000) and Mississippi (7.46 per 100,000). And while gun crime is down in the vast

majority of states, it is up in Indiana, Arkansas, North Carolina, Louisiana and several of the smaller states.

So how do we explain American exceptionalism among advanced nations? Eric Monkkonen (2006) blames the legacy of mobility (which breaks social ties), Federalism (a weak form of government), slavery (which rationalized a culture of violence among white Southerners, where the murder rate is disproportionately high), and general tolerance (particularly with regard racial murders and killings by jealous spouses). Given the crime rate correlates, inversely, with public faith in government and trust in elected officials, Gary LaFree (1998) blames the decline of social institutions in America. Essentially, if people feel society is unfair they are less inclined to play by the rules (see also, Roth, 2009). Mark Kleiman (2009) blames the severity of punishments in America (e.g., state execution, three strikes laws), which contrary to popular belief do little to deter crime. Cesare Beccaria (1963) was in fact the first to argue punishments, to be effective, must be swift and certain but not necessarily severe, noting: “The countries and times most notorious for severity of punishment have always been those in which the bloodiest and most inhumane of deeds were committed” (p. 42).

To account for higher rates of gun violence in southern states, Richard Nisbett and Dov Cohen (1996) identify a “culture of honor” in which southern residents place an extraordinary value on personal reputation, family, and property and frequently see violence as a way to solve personal problems. To account for high rates of gun violence among the urban poor, scholars describe “subcultures of violence” (i.e., gangs) in which the norms, values, and attitudes of its members legitimize the use of violence to resolve conflicts (Wolfgang & Ferracuti, 1967), and “honor subcultures” in which young men without legitimate means to earn respect become hypersensitive to insult and rush to defend their reputation in dominance contests (Gilligan, 1997). The disproportionate involvement of men as both victims and perpetrators of gun violence may also reflect notions of “hegemonic masculinity” (Messerschmidt, 1993).

The above are all interesting theories but it is difficult to draw causal inferences. There’s also a chicken-and-egg question when it comes to gun violence in America. On the one hand, rising crime leads to a perception of increased threat and, therefore, an increase in the prevalence of gun ownership. On the other hand, making firearms more available is followed by an increase in gun crime. Likewise, the states with the strongest gun laws typically see the lowest gun death rates. But it’s also easier to pass gun control laws in areas with low gun ownership, and harder to pass them in areas with more gun owners.

### **More guns = more gun accidents?**

Across states, both firearm prevalence *and* unsafe storage practices (i.e., storing firearms loaded and unlocked) are associated with higher rates of unintentional firearm deaths (Miller et al., 2005). The majority of people killed in firearm accidents are under age 24, and the shooter is typically a friend or family member, often an older brother (Hemenway et al., 2010). Nevertheless, there is one object parents should fear a hundred times more than the gun in the house but don’t and that is a swimming pool. If a child spends a day at a house that has both a gun and a swimming pool, the likelihood the child dies is a hundred times greater from the swimming pool than it is from the gun (Levitt & Dubner, 2005).

### **More guns = more gun suicides?**

Availability of firearms certainly determines whether suicide attempts prove fatal (Miller, 2012). Gun availability is also a risk factor for youth suicide in the United States but the evidence gun availability increases adult suicide rates is less compelling. Most of the disaggregate findings of particular studies (e.g., handguns are more of a risk factor than long guns, guns stored unlocked pose a greater risk than guns stored locked) are suggestive but not yet well established (Miller & Hemenway, 1999, 2001). Indeed, adolescents who commit suicide with a gun typically use the family gun (Johnson et al., 2010). Perhaps reflecting over-confidence, gun training is counter-intuitively associated with an *increased* likelihood of storing firearms guns loaded and unlocked (Hemenway et al., 1995).

### **How do criminals get guns?**

The problem is not law-abiding citizens. Gang membership, for example, “strongly and significantly increases the likelihood of carrying a gun” (Thornberry et al., 2003, p. 131). And national figures from large cities indicate that while gang members comprise far less than one percent of the general population, over 20 percent of homicides in large cities are gang related (Pyrooz, 2012).

The 1994 Brady Handgun Violence Prevention Act mandates background investigations (via the National Instant Criminal Background Check System maintained by the FBI) and prohibits retail sales of guns to juveniles, convicted felons, fugitives, illegal aliens, drug users, former mental patients, and dishonorably discharged veterans. But a privately owned gun can be transferred in a wide variety of ways not involving Federal Firearms Licensees, such as through classified ads in newspapers and gun magazines and at gun shows (which include both licensed and unlicensed gun dealers). Transfers of secondhand firearms by unlicensed individuals form a “secondary market”, which federal law does not require transaction records or criminal background checks of prospective gun buyers (NRC, 2005). Approximately 30 to 40 percent of all gun transactions occur in the secondary market (Cook & Ludwig, 2000).

In addition, thousands of guns stolen from manufacturers, importers, distributors, licensed dealers, and private citizens each year make their way into the hands of prohibited persons (Cook & Ludwig, 2000). And prohibited persons can acquire firearms from licensees without theft via straw purchases (i.e., when the actual buyer uses another person to complete the purchase and fill out the paperwork), “lying and buying” (i.e., showing false identification and lying about their status), or buying from a dealer knowingly involved and willing to disguise the illegal transaction by falsifying the record of sale or reporting the gun as stolen (Braga et al., 2002). Corrupt Federal Firearms Licensees account for less than 10 percent of gun trafficking investigations conducted by the ATF but more than half of all guns diverted to prohibited users (NRC, 2005).

### **Finding solutions**

Adapted from Riedel and Welsh (2011, Chapter 12).

#### *Altering gun uses or storage*

Available research on the deterrent effects of firearm sentencing enhancements is mixed (NRC, 2005)

#### *Regulating gun dealers*

In 2000, ATF conducted focused compliance inspections on dealers who had been uncooperative in response to trace requests and on Federal Firearms Licensees who had ten or more gun crimes

traced to them the prior year. These selective inspections disclosed violations in about 75 percent of the 1,012 dealers inspected. This is promising.

#### *Reducing the lethality of guns*

Examples: designating certain firearms as “dangerous”, restricting access to certain types of weapons or ammunition by law, making weapons less dangerous by requiring trigger locks etc. Evaluation evidence is lacking (NRC, 2005).

#### *Limiting gun sales by state*

To reduce straw purchases, some states have passed laws limiting the number of guns that an individual may purchase during a specific time period (e.g., one per 30 days). No controlled studies have shown harm reduced due to this intervention—indeed it may simply compel straw purchases to travel to another nearby state or jurisdiction with less restrictive laws. If it works, therefore, it must be enacted at federal level.

#### *Screening gun buyers*

Very few applicants are refused. Jens Ludwig and Philip Cook (2000) found no effects comparing 32 pre-Brady Act states with 19 (plus Washington DC) Brady Act-compliant states. The only effect was a reduction in gun suicides for people aged 55 or over.

#### *Gun buy-backs*

The assumptions underlying gun buy-backs are badly flawed. First, guns typically recovered are the ones least likely to be used in criminal activities, including many old or inoperative guns. Second, because replacement guns are so easily obtained any decline in the number of guns on the street is likely to be smaller than the number of guns turned in. Available evidence suggests gun buy-backs have no effect on gun-related violence at all (NRC, 2005).

#### *Banning assault rifles*

The 1994 assault weapons ban grandfathered in assault weapons and large-capacity magazines capable of holding more than ten rounds and was riddled with loopholes that allowed manufacturers to rename their weapons and make minor modifications on copycat models that could be sold legally. Perhaps for this reason (and the short time period available for analysis) the empirical evaluation revealed no clear impact on gun violence (NRC, 2005). Moreover, according to the FBI’s Uniform Crime Reports, 69 percent of all gun murders in 2011 were committed with a *handgun*. While banning high-capacity magazines would affect the number of bullets loaded into a semi-automatic handgun, this and an assault weapons ban would have no direct effect on the availability of murderers’ weapon of choice—the handgun.

### **What will work?**

Adapted from Kleiman (2011, pp. 186-7)

Reducing the number of firearms in private hands by 90 percent would no doubt reduce the homicide rate. But reducing the number by 10 percent would only have a small effect on crime as opposed to accident or suicide prevention. The experience with states passing “shall issue” laws provides no evidence of substantial criminal violence by holders of those permits. Thus two of the major goals on gun control advocates—reducing the prevalence of firearm ownership and preventing the passage of “shall issue” laws—are largely irrelevant to the project of reducing victimization risk.

But, reducing access to firearms by those whose criminal history or history of psychiatric commitment make them ineligible for legal gun possession can reduce the level of criminal violence with firearms. As such, universal background checks (e.g., private sellers must verify eligibility through a licensed gun dealer) and limiting the number of firearms anyone other than a licensed dealer can purchase over the course of a month would be a step in reducing access to guns by those likely to use them criminally. Tracing guns used in crimes back to their most recent legal sale can equally help identify problem gun dealers. Requiring guns to be fired before sale and entering the ballistic signatures on the bullet and the cartridge entered into a database along with the serial number of the weapon would extend the capacity to trace guns used in the commission of a crime in which the bullet or the cartridge is left at the crime scene but the gun itself is not recovered. The gun's last legal purchaser could then be asked to account for what happened to it.

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- Federal Bureau of Investigation, *2011 Uniform Crime Report*.
- General Social Survey
- National Center for Injury Prevention and Control, *Injury Mortality Reports, 1981-1998*.
- National Center for Injury Prevention and Control, *Fatal Injury Reports, 1999-2010*.
- United Nations Office on Drugs and Crime, *UNODC Homicide Statistics*

### **Want to learn more?**

- Brady Center to Prevent Gun Violence: <http://www.bradycenter.org/>
- Factcheck.org: <http://factcheck.org/2012/12/gun-rhetoric-vs-gun-facts/>
- Harvard Injury Control Research Center: <http://www.hsph.harvard.edu/hicrc/firearms-research/>
- Joyce Foundation: <http://www.joycefdn.org/programs/gun-violence-prevention/>
- Law Center to Prevent Gun Violence: <http://smartgunlaws.org/>
- National Rifle Association: <http://home.nra.org/>
- Public Broadcasting Service (PBS): <http://www.pbs.org/wnet/after-newtown>