

“Gun control” and “gun rights” are two fraught terms that can bring friends and family members to loud debates over the true meaning of the second amendment. Wrapped up in it are issues of privacy, public and personal safety, individual accountability, government control, mental health, and social norms, as well as an individual’s positive or negative experiences with firearms.

Getting to any reasonable discussion of this issue requires facts instead of overheated rhetoric, along with a recognition that a nation as populous and geographically diverse as the United States may not be able to craft a one-size-fits-all policy on firearms. However, when 39,773 Americans died from firearm injury in 2017 alone, many Americans doubt this is what the framers of the Constitution envisioned when they wrote the second amendment: "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.”

Gun ownership has been a cherished tradition in the United States since colonial times, and many Americans have long family customs of hunting for deer, dove, or other game. Target shooting, whether on a gun range or in another controlled format such as skeet shooting, also has a strong following. Yet since 1977, gun ownership rates have been fallen to approximately 30% of Americans owning a gun for sport or for protection (<http://www.pewsocialtrends.org/2017/06/22/the-demographics-of-gun-ownership/>). Currently, there are 393 million firearms in the United States – more than the nation’s current population of 325 million (https://www.washingtonpost.com/news/wonk/wp/2018/06/19/there-are-more-guns-than-people-in-the-united-states-according-to-a-new-study-of-global-firearm-ownership/?utm_term=.d809b3640f71).

The League’s National Position on Guns

In the 1990s, in response to a rising crime rate and a proliferation of more lethal weapons used in the commission of crime, the League of Women Voters of the US adopted the following position at its biennial conventions:

“The League of Women Voters believes that the proliferation of handguns and semi-automatic assault weapons in the United States is a major health and safety threat to its citizens. The League supports strong federal measures to limit the accessibility and regulate the ownership of these weapons by private citizens. The League supports regulating firearms for consumer safety.

“The League supports licensing procedures for gun ownership by private citizens to include a waiting period for background checks, personal identity verification, gun safety education and annual license renewal. The license fee should be adequate to bear the cost of education and verification. The League supports a ban on ‘Saturday night specials,’ enforcement of strict penalties for the improper possession of and crimes committed with handguns and assault weapons, and allocation of resources to better regulate and monitor gun dealers.” “Statement of Position on Gun Control, as Adopted by 1990 Convention and amended by the 1994 and 1998 Conventions.” From *Impact on Issues, 2016-2018*, pp. 94-96. (https://www.lwv.org/sites/default/files/2018-05/impact_on_issues_2016-2018_social_policy.pdf, pages 96-97)

In 1992 and 1993, the League supported passage of the Brady Bill, which Congress enacted in November 1993 – a year when the number of firearms homicides reached 18,253 and the total deaths attributable to guns rose to 39,595. Among the law’s provisions were the institution of a five-day waiting period and a background check for the purchase of handguns. The League also worked successfully to include an assault weapons ban in the final conference report on omnibus crime legislation and prevailed in persuading Congress not to repeal these provisions in 1996.

Since the high point of gun control lawmaking in the 1990s, the pendulum of federal and state legislation has swung toward gun rights, with more attention to issues such as privacy of gun owners and the right to carry loaded guns in daily life. Since 1999, efforts to expand background checks to gun shows and private sales and to mandate trigger locks for guns have not passed Congress despite LWV’s efforts, as emphasis on gun rights gained sway with elected leaders. The assault weapons ban and the five-day waiting period were allowed to expire in 2004, despite the League’s efforts to preserve them. Furthermore, background checks have been reduced to an instant online check of crime databases that many critics consider inadequate because the databases are often incomplete and the FBI is required to promptly destroy any record of a background check. After courts in the 1990s supported a somewhat limited view of the second amendment, further efforts at gun control suffered setbacks when the Supreme Court affirmed a basic right to keep and bear arms in *District of Columbia v. Heller*, 2008, and *McDonald v. Chicago*, 2010.

From 2011 to 2018, no gun control bills had a full hearing in Congress, though the House of Representatives did pass a bill in December 2017 to allow those who had permits to carry concealed loaded weapons in one state could do so in every state. The National Rifle Association called this its “number one legislative priority,” but the Senate did not pass the measure and it died with the expiration of the 115th Congress in December 2018. So far this year, however, the House of Representatives has held a hearing for HR 8, requiring a background check for every firearm sale (including sales between private individuals), although the hearing was contentious and members of one party walked out early on.

By the Numbers

Although no absolute correlation between gun control legislation and the number of gun deaths has been established, the number of gun deaths in the U.S. fell from the high of 39,000+ firearms deaths in 1993 (just before the Brady Bill took effect) to 28,661 in 2000, before stabilizing around 30,000 firearm related deaths per year between 2001 and 2004. Starting in 2005, when the restrictions on assault-style weapons and the five-day waiting period were repealed, the rate of gun deaths began to rise steadily again (to 33,563 in 2012 and 36,252 in 2015). In 2017, 39,773 Americans lost their lives due to firearms, exceeding the number of deaths in 1993 for the first time in decades. The number of homicides with firearms has reflected similar trends, falling quickly from a peak of 18,253 or 46% of total gun deaths in 1993 to 10,801 gun homicides by 2000. The number of firearm homicides remained fairly steady between 11,000 and 12,791 gun homicides per year until 2015, when the number of murders by gun began to rise again, to 14,415 in 2016 and 14,542 in 2017 (“Gun deaths in US rise to highest level in 20 years, data shows,” *The Guardian* (UK) , <https://www.theguardian.com/us-news/2018/dec/13/us-gun-deaths-levels-cdc-2017>). Despite the recent increase in homicides, suicide far outpaces homicide among gun deaths, accounting for 60% of firearm deaths in 2017.

Unfortunately, even getting at firearm death and injury statistics has become more difficult over the last 25 years. After a study funded by the Centers for Disease Control (CDC) in 1993 concluded that the presence of a gun in the home greatly increased the likelihood of injury or death to those in the home (contrary to the assertions of gun owner groups that a gun in the home made families safer), the National Rifle Association pushed Congress in 1995 to stop the CDC from spending taxpayer money on research that could advocate for gun control. The following year Congress passed the Dickey Amendment, which “cut funding that effectively ended the CDC’s study of gun violence as a public health issue. The result is that 22 years and more than 600,000 gunshot victims later, much of the federal government has largely abandoned efforts to learn why people shoot one another, or themselves, and what can be done to prevent gun violence.” (“Congress Quashed Research Into Gun Violence. Since Then, 600,000 People Have Been Shot,” by Sheila Kaplan, *New York Times*, March 12, 2018, <https://www.nytimes.com/2018/03/12/health/gun-violence-research-cdc.html>)

Mass Shootings Get our Attention but Statistically are only a Small Part of the Problem

Although the homicide rate remains well below its high-water mark in 1993, concern about guns in America has only grown along with the number of mass shootings over the last 20 years. Mass shootings have taken place in the workplace: Among the most notable, 14 postal workers were killed by a coworker in 1986, 12 were murdered at the Washington Naval Yard in 2013, and 14 people were killed by a co-worker and his wife in San Bernardino in December 2015. The most recent incident occurred just a few days ago, when a worker who was about to be fired shot five coworkers to death in an Aurora, Illinois, manufacturing facility. According to the Bureau of Labor Statistics, shootings killed 394 people in the workplace in 2016, although the number of firearms deaths in the workplace has actually declined compared to 762 such deaths in 1995 (https://ovc.ncjrs.gov/ncvrv2018/info_flyers/fact_sheets/2018NCVrw_WorkplaceViolence_508_QC.pdf).

Other mass murders have occurred at leisure events. Fifty-eight people were shot to death and almost 500 more were injured in Las Vegas in October 2017, when a heavily armed assailant fired repeatedly from his hotel room into a crowd at an outdoor concert. Among other memorable mass murders at entertainment events, 49 people were killed and another 50 injured at the Pulse Nightclub in Orlando (2016), 12 were shot to death and 58 wounded in a movie theater in Aurora, Colorado, and in November 2018, 12 people were shot to death at the Borderline Bar & Grill in Thousand Oaks, California. Many Texans still remember when 31 were killed at a Luby’s in Killeen, TX, in 1991, as well as the more recent shootout between rival motorcycle clubs at the Twin Peaks restaurant in Waco in 2015. Shopping malls, yoga studios, and salons have also been the scene of random shootings with multiple deaths.

Among the most frightening mass shootings are those at schools. During the University of Texas Tower massacre in 1966, 18 people were killed with a rifle, but only one other multiple murder occurred at a school during that decade. Through the 1970s and 1980s, gun crimes in schools generally consisted of one person with a handgun or shotgun shooting another student or a teacher (and not all of those shootings were fatal). In the late 1980s, there was a memorable attack with an assault weapon that killed 5 elementary school children on a playground in Stockton, California, but it shocked the public because it was so unusual. Ever since the Columbine High School massacre in 1999, school shootings have become more commonplace and more deadly. In December 2012, 20 young children and 6 teachers were murdered at Sandy Hook Elementary in Newtown,

Connecticut; in death, they joined 10 shooting victims in the Red Lake, Minnesota, high school shooting in 2005, 5 Amish girls at West Nickel Mines School in Pennsylvania (2006), 32 students and faculty members at Virginia Tech (2007), 5 college students at Northern Illinois University (2008), students and community members at Santa Monica College (CA) in 2013, 5 in Marysville (WA) Pilchuck High School (2014), 8 students and a teacher at Umpqua Community College in Roseburg, OR in 2015, and most recently 17 high school students in Parkland, Florida (February 2018) and 10 students at the Santa Fe, Texas, high school in May 2018. In many of these shootings, an assault-type weapon was the weapon of choice. While Congress has not made any changes to gun laws during this period, schools have installed layers of security at entry points and have instituted regular armed-intruder drills for students and teachers, and college teachers are taught how to harden a classroom against someone with a gun. Parents and children alike are keenly aware that school is not always a safe place.

Even houses of worship no longer seem safe from premeditated firearms assaults. Locally, we were all shocked by the murder of seven students and youth leaders during a service at Wedgewood Baptist Church in Fort Worth in 1999. Racial and religious hatred led to the fatal shooting of 6 worshippers in a Sikh temple in Oak Park, Wisconsin in 2012, of 9 black Bible study participants in Charleston, SC in 2015, and of 11 members of a Pittsburgh synagogue in October 2018. The largest mass shooting at a church killed 27 worshippers at First Baptist Church in Sutherland Springs, TX, in November 2017, perpetrated by a man whose violent history should have prevented him from purchasing guns, except that his name and violence record was not on the instant background check database.

One ingredient of many of these shootings is the use of assault-style weapons, which have been a relatively recent addition to the arsenal of American gun owners. Weapons with the capacity to automatically load bullets into a chamber became a staple of military firearms in the twentieth century but did not become widely available to civilians until Colt bought the patent for a military assault weapon (AR-15) and began producing a version for the civilian market in the 1960s. When the patent expired in 1977, every major arms manufacturer began producing some version of the assault rifle, capable of shooting many bullets per minute from a detachable magazine. The National Rifle Association has called the weapon “America’s rifle,” and in 2009 the American Shooting Sports Foundation coined the term “modern sporting rifle” for the many generic versions of the AR-15. A ban on AR-15 style rifles was part of the Violent Crime Control and Law Enforcement Act of 1994, which made it “unlawful for a person to manufacture, transfer, or possess” a semiautomatic assault weapon. That prohibition expired in 2004 when Congress chose not to renew it, and there are now an estimated 15-20 million assault-style weapons in the US. (including law enforcement as well as civilian ownership), though exact numbers are merely estimates because even what constitutes an “assault-style weapon” is subject to debate (www.thetrace.org/2018/09/how-many-assault-weapons-in-the-us/). Hunters appreciate the lighter weight and portability as well as the reloading speed of these weapons, but assault weapons have been a weapon of choice in a number of high profile mass shootings.

While mass shootings draw most of the attention, murders with handguns also extract a serious toll. Robberies and domestic violence killings, as well as one-on-one shootings in schools and workplaces, most often involve a handgun. Handguns have accounted for almost $\frac{3}{4}$ of all firearms homicides in the US between 2010 and 2014 (for breakdown by year, see https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/expanded-homicide-data/expanded_homicide_data_table_8_murder_victims_by_weapon_2010-2014.xls.)

The right to gun ownership for self-protection and other lawful purposes, without the encumbrance of trigger locks and other protective measures, was established in the Supreme Court’s ruling in *District of Columbia v. Heller* (2008), which overturned the Washington, DC, ban on citizens keeping fully assembled unlocked weapons in their homes. That has led to many concerns about weapons in the hands of those who are not mentally stable, such as dementia patients and those undergoing mental health crises, as well as in domestic abuse cases and during contentious divorces. It also may be a contributing factor in the increasing number of firearms suicides (more than 24,000 in 2017), when a gun offers a ready and permanent solution to episodes of despair. The presence of more guns on the streets, as some states adopt concealed-carry or right-to-carry laws with minimal training requirements, and stand-your-ground statutes that decriminalize shooting someone who causes fear of harm are other recent trends that make the non-gun-owning population feel less safe. Although in some well-publicized incidents such as the Sutherland Springs shooting, armed civilians have successfully intervened to stop other shooters, the “good guy with a gun” can also create confusion in the middle of a police response, as it did in Dallas when five police officers were killed at a march.

Nationally, the League continues to advocate for “common sense solutions to prevent gun violence,” including closing the gun show loophole, increasing penalties for straw purchases of guns, banning assault weapons, placing limits on high capacity ammunition magazines, and funding research to report on gun violence in America. (See the League’s Action Alert on this issue at http://participate.lwv.org/c/10065/p/dialog/action4/common/public/?action_KEY=13314&okay=true.)

Many laws concerning guns are not national but state, and at least in theory are tailored to the needs of particular states (e.g., guns in sparsely populated Montana may not warrant the same kinds of restrictions as guns in more densely populated states such as Connecticut or California). While Congress has not passed significant gun legislation in more than a decade, gun control measures are being passed in some states. Since the Parkland, Florida, high school shooting in 2018, student activists and their allies have inspired states to pass 67 laws limiting firearms.

Texas is not one of those states, but the League of Women Voters of Texas is following a number of Texas-specific gun safety issues in the current legislative session. These include making unlawful discharge of a firearm (e.g., shooting in the air or toward someone with no intention of actually wounding), manufacture and distribution of unmarked firearms, creation of extreme risk protective orders to prohibit certain individuals from having firearms, making it a crime for prohibited individuals to try to purchase guns, and requiring background checks for firearms transfers at gun shows (for a complete list, see <https://my.lwv.org/texas>). (There are also bills to make Texas more firearm-friendly, which the League is following without supporting.)

Unit Discussion Questions

1. Do assault-style weapons have a place in American society? If so, what limits should be placed upon who can own them and what additional safety measures should owners take?
2. What laws should Congress enact in the next few years to reduce gun violence?
3. Should guns or their owners be registered?
4. Since states have their own laws concerning gun ownership and usage, what steps should Texans take to reduce the number of gun incidents in this state? Or are current laws adequate to keep us safe?
4. How can society balance the needs of hunters and people who want guns for self-protection with the need for public safety?

Further Resources on Gun Control

BBC News, “America’s Gun Culture in 10 Charts,” <https://www.bbc.com/news/world-us-canada-41488081>

“Church Shootings Happen Often Enough That There's a National Church Shooting Database,” by Francie Diep, June 19, 2015, *Pacific Standard*, <https://psmag.com/news/research-on-shootings-in-churches>

Guns in America issue, *Time Magazine*, November 5, 2018 cover date. Available at <http://time.com/longform/guns-america/>

“Nearly 40,000 People Died From Guns in U.S. Last Year, Highest in 50 Years,” by Sarah Mervosh, *New York Times*, December 18, 2018, online edition. <https://www.nytimes.com/2018/12/18/us/gun-deaths.html>

“Outlook: Five Myths about Gun Control,” by Daniel Webster, Jon Vernick, Cassandra Crifasi, and Beth McGinty, *Washington Post*, October 6, 2017, https://www.washingtonpost.com/outlook/five-myths/five-myths-about-gun-violence/2017/10/06/c4536e44-a9ed-11e7-b3aa-c0e2e1d41e38_story.html?utm_term=.b838d799a314

For the truly ambitious, the Rand Corporation’s *The Science of Gun Policy*, 288 pp., can be downloaded as a PDF for free at https://www.rand.org/pubs/research_reports/RR2088.html