GUN VIOLENCE: Robert Wall
TOPIC ONE

The Problem
Some Problems

Issues
• Gun Deaths
  • Murders
  • Suicides
  • Accidental
• Murders
  • Mass murders
• Shootings
  • Mass Shootings
  • School Shootings

More Issues
• Lethality of weapons
Some Statistics

Here are the answers to some questions regarding the issues
Mass Shootings in 2022 -

There is no official definition.

The most commonly used is 4 or more deaths (not including the shooter. (Gun Violence Archive)

The murders must have been random (the shooter did not know the victims.

https://www.gunviolencearchive.org/
Locations

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School Shootings - 2022

46 Total Shootings

- 386 school shootings since Columbine
- Source
  - Washington Post
TOPIC TWO

The Law
The 2nd 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.”

Subject to the “strict scrutiny test”

A constitutional right cannot be restricted unless there is a “compelling governmental interest”.

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- Second Amendment, United States Constitution
Cannot Restrict 2\textsuperscript{nd} Amendment Rights.

District of Columbia vs. Heller
• Struck down a handgun ban in Washington D.C.

McDonald v. Chicago
• Expanded Heller to the states via the 14\textsuperscript{th} Amendment

Can Restrict 2\textsuperscript{nd} Amendment Rights.

Compelling governmental interest allows restrictions on:

• firearms restrictions on felons,
• the mentally ill,
• firearm possession
• in or near schools or government buildings,
• and the commercial sale of firearms.
• (just a few examples)

Gun Control Act of 1968

This Legislation regulated interstate and foreign commerce in firearms, including importation, "prohibited persons", and licensing provisions.

Source: https://www.atf.gov/rules-and-regulations/gun-control-act
The 1994 Federal Assault Weapons Ban

- Public Safety and Recreational Firearms Use Protection Act,
- Banned “assault weapons”
Assault Weapons

• Semi-automatic rifles able to accept detachable magazines and has two or more of the following:
  - Folding or telescoping stock
• Pistol grip
• Bayonet mount
• Flash hider or threaded barrel designed to accommodate one
• Grenade launcher
Assault Weapons

- Semi-automatic shotguns with two or more of the following:
  - Folding or telescoping stock
  - Pistol grip
  - A fixed magazine capacity in excess of 5 rounds
  - Detachable magazine
Assault Weapons – Prohibited Specifically

Also prohibited any weapons that were essentially copies of the listed weapons.

<table>
<thead>
<tr>
<th>Name of firearm</th>
<th>Pre-ban federal legal status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (AKs) (all models)</td>
<td>Imports banned in 1989*</td>
</tr>
<tr>
<td>Action Arms Israeli Military Industries UZI and Galil</td>
<td>Imports banned in 1989*</td>
</tr>
<tr>
<td>Beretta AR-70 (SC-70)</td>
<td>Imports banned in 1989*</td>
</tr>
<tr>
<td>Colt AR-15</td>
<td>Legal</td>
</tr>
<tr>
<td>Fabrique National FN/FAL, FN-LAR, FNC</td>
<td>Imports banned in 1989*</td>
</tr>
<tr>
<td>SWD (MAC type) M-10, M-11, M11/9, M12</td>
<td>Legal</td>
</tr>
<tr>
<td>Steyr AUG</td>
<td>Imports banned in 1989*</td>
</tr>
<tr>
<td>INTRATEC TEC-9, TEC-DC9, TEC-22</td>
<td>Legal</td>
</tr>
<tr>
<td>Revolving cylinder shotguns such as (or similar to) the Street Sweeper and Striker 12</td>
<td>Legal</td>
</tr>
</tbody>
</table>
Assault Weapons

• The ban only existed from 1994 – 2004

• It had a “Sunset Provision” that provided it automatically expired in 10 years unless renewed.

• Although I don’t usually recommend Wikipedia as a reference. If you wish further information, this Wikipedia link provides details and information on peer-reviewed studies

• https://en.wikipedia.org/wiki/Federal_Assault_Weapons_Ban
Assault Weapons

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The Brady Bill

5-day waiting period on gun purchases

1994-1998
Swing towards permissive carry statutes

- Over a little more than a decade, there has been a major swing away from government regulation of carrying weapons outside the home. The issues are as follows
  1. Permit vs. permitless carry
  2. Open carry
  3. Concealed carry
Timeline

Prior to 2011
- Vermont the only state to allow “constitutional carry” without a permit

2011
- Wyoming became first state to join Vermont with constitutional carry.

2011-2023
- 23 states enact open carry statutes.

2021
- Texas enacted both permitless and constitutional carry in 2021

2023
- Florida enacts constitutional carry in 2023, swinging the balance to more states allowing than prohibiting constitutional carry.
TOPIC THREE

Public Opinion
How do citizens feel about the issues

- Surprisingly, there are many issues on which a majority of Americans agree on reforms. Many of these have bipartisan agreements; some have an overall majority favorable rating, with Republicans having a majority favorable rating, and some have an overall unfavorable poll result...
Some examples

\[ 9/3/20XX \]

GUN VIOLENCE

- Preventing people with mental illnesses from purchasing guns
  - Rep/Lean Rep: 85
  - Total: 87
  - Dem/Lean Dem: 90

- Making private gun sales and sales at gun shows subject to background checks
  - Rep/Lean Rep: 70
  - Total: 81
  - Dem/Lean Dem: 92

- Creating a federal government database to track all gun sales
  - Rep/Lean Rep: 43
  - Total: 66
  - Dem/Lean Dem: 86

- Banning high capacity ammunition magazines that hold more than 10 rounds
  - Rep/Lean Rep: 41
  - Total: 64
  - Dem/Lean Dem: 83

- Banning assault-style weapons
  - Rep/Lean Rep: 37
  - Total: 63
  - Dem/Lean Dem: 83

- Allowing people to carry concealed guns in more places
  - Rep/Lean Rep: 20
  - Total: 43
  - Dem/Lean Dem: 72

- Allowing teachers and school officials to carry guns in K-12 schools
  - Rep/Lean Rep: 24
  - Total: 43
  - Dem/Lean Dem: 66

- Shortening waiting periods for people who want to buy guns legally
  - Rep/Lean Rep: 20
  - Total: 35
  - Dem/Lean Dem: 53

- Allowing people to carry concealed guns without a permit
  - Rep/Lean Rep: 8
  - Total: 20
  - Dem/Lean Dem: 35

Source: Survey of U.S. adults conducted April 5-11, 2021.
Overall

- There is wide disagreement between Republican and Democratic voters regarding gun control/gun safety issues
TOPIC FOUR

Effective / Noneffective programs
Some Proposed Reforms

- 1. Universal Background Checks:
- 2. Waiting Periods:
- 3. Assault Weapons Ban:
- 4. Red Flag Laws:
- 5. Safe Storage Laws:
- 7. Gun Registration
- 8. Ammunition Restrictions
- 9. Gun Buyback Programs
- 10. Community Policing and Outreach
- 11. Increased Funding for Mental Health Services:
- 12. Enhanced Law Enforcement Resources
- 13. Federal Legislation
Even when we agree in principle, we can disagree on the details

- There is wide disagreement over how much difference mental health reforms can play.
One more

• A major argument is how much difference simply enforcing existing gun statutes might make.
The Gun Control Act of 1968 bans

- most felons, drug users, and people found mentally incompetent from buying guns.
- "It shall be unlawful for any person...who is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) to...possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce." 18 U.S.C. § 922(g)(3)
Federal Gun Convictions- 2022

1. Total Number: 64,142

   1. 8,688 were for section 922g.
      1. 87.8% were for felons in possession of firearm.

   2. Reporting is unclear how many of the remaining 1060 922g offenses were for each disqualifying category:
      1. Purchasing or possessing while mentally incompetent.
      2. Purchasing or possessing while using or being addicted to drugs
      3. Purchasing or possessing while a fugitive from justice.
Total Federal Offenders -2021

- Firearms offenses ranked #3 in types of prosecutions consisting of 14.2%
- Drug offenses were #1: 31.3%
- Immigration offenses were #2: 29.6%
Operation Ceasefire

- Very successful in Boston, and later in other cities, however
- The program was less successful in other cities.
- Not all of the differential results have been explained.
Ceasefire in Boston

- Two-part strategy
  - Focus on research identifying gun trafficking in Boston
  - “pulling every lever” using every tool at their disposal to deter gun offenses and violence
  - Included both strong punishments and direct messaging to gangs
Boston Results

1. Operation Ceasefire was associated with
   1. a 63-percent decrease in youth homicides per month,
   2. a 32-percent decrease in shots-fired calls for service per month,
   3. a 25-percent decrease in gun assaults per month, and
   4. a 44-percent decrease in the number of youth gun assaults per month in the highest-risk district

9/3/20XX
Summary

The presentation was designed to be fact-based. Opinions were minimized, but I’m sure not totally eliminated.

I hope the data given informed you about this important issue.
THANK YOU

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