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Assault Weapons and Other Gun Related Violence: Where Do We Go From Here?

Garrison Keillor once said, “Sometimes you have to look reality in the eye, and deny it.”

This is too often the case. People see a problem and then quickly deny it. Sometimes, it’s even hard to keep someone’s attention long enough to even convince them there is a problem. In today’s fast paced digital age if we don’t quickly see something as interesting or important we move on. It’s a well known fact that if something doesn’t grab people’s attention within the first few seconds they tend to tune out. That’s why I’m going to jump right out there and make this bold statement so hopefully I can get everyone’s attention and possible make a change. We have a problem. We all have this problem. This problem causes thousands and thousands of people to be seriously injured, and even die, every year. What is this problem you may ask? Well, the problem is gun violence. Almost every time you turn on the news you see another story about a mass shooting. Just this year alone we have already seen 25 mass shootings involving four or more people. It’s only April. We all know someone who has been affected by gun violence. There are over 300 million guns in The United States. That’s enough guns for every person in The United States to have one. Add to this the fact that The Mayo Clinic now says 70 percent of Americans are on medication. Many of these medications have serious mental side effects, or are meant to treat a mental problem to begin with. This is a perfect storm. I’m afraid if something isn’t done soon things may reach a point of no return. We need to implement new firearm legislation that doesn’t focus on gun cosmetics and

isn't meant to tickle the ears of gun lobbyists, gun makers and politicians. We need a bill that won't be gutted and full of loopholes and exemptions. Basically, We don't need another 1994 assault weapons ban. We need a bill that pulls together the tried and true effectiveness of the 1934 National Firearm Act, but still has the new school innovation that can utilize the latest in gun technology. We need a bill that clearly identifies what an assault rifle is. We also cannot overlook the mental aspect of gun ownership. For the first time we must overcome the stigma of mental health issues and somehow address this in common sense gun legislation.

Ok, so now that we know we have a problem let's look back at some of the things that we've tried before and see where they failed. Let's look at the 1994 assault weapons ban. This ban was signed into legislation in 1994 and had provisions to sunset, or not be a law anymore, on 2004. First off, the bill itself was not created by individuals who were familiar with guns, or gun violence. The bill was created by members of congress. This is where things start to go down hill. In no way did they ask for help from any organization like the F.B.I or the A.T.F. The bill had numerous exemptions for guns that supposedly had sporting purpose. In reality, these exemptions had more meaning than most people can ascertain. Gun lobbyists and other individuals with financial stakes in the gun world would really hate to see a gun company worth billions go under because they only make assault rifles. So, what's the next best thing to do? We'll call them "sporting rifles" and say they're exempt. Also the ban had many loopholes. One example of a loophole in the ban was how they dealt with detachable magazines and threaded barrels. A rifle, by law, could have three of the assault weapon characteristics but no more. One of these characteristics was a detachable box magazine, or a container on the bottom of the gun that can be detached that holds all the bullets. One way manufacturers would get around having a detachable box magazine was that they would require the user to use a tool to take off the magazine. Well, in many cases this would be as simple as using a bullet to poke a button. That's by they called them

bullet buttons. Another characteristic that was prohibited was threaded barrels. A threaded barrel is a barrel that has threads, much like a bolt, at the end of the barrel. This was meant to attach silencers or other accessories. One way manufactures would get around this law is to have a “non-removable” cover tack welded onto the threads. Well, as you can see this weld was easily broken and sometimes outright just fell off. So there’s another avenue circumvented. Lastly, the bill itself was largely ineffective from it’s birth, mainly because the majority of murders are not committed with a 3 foot long, \$1,500, military type, assault rifles. They are committed with inexpensive, easily available, and easily concealable handguns. According to the paper “The Impact of the 1994 Federal Assault Weapon Ban” assault rifle violence only accounted for two percent of violent crime before the ban, and the actual amount of gun violence committed with assault rifles slightly increased during the 10 year ban instead of decreasing. (It was only by .1 percent.) Keep this two percent figure in your mind as we will be revisiting this later.

So, this is what hasn’t worked. Is there any legislation that has worked? Possible, we could keep that effective piece of legislation in mind as we try to create new legislation to reduce gun violence. Yes, there was a highly effective piece of legislation created in 1934 that is still in law today over 80 years later. This piece of law is called the National Firearms Act. This piece of legislation regulates the sale, transfer, and transportation of short barreled shotguns, short barreled rifles, machine guns and silencers. A short barreled shotgun is a shotgun with a barrel less than 18 inches. A short barreled rifle is a rifle with a barrel less than 16 inches. A machine gun is defined as a gun that can fire more than one bullet with a single press of a trigger. A silencer is simply defined as any device that reduces the noise level of any gun in any way. Simple right? Anyone wishing to purchase a class III weapon must first pay a \$200 tax. After this, paperwork is sent into the BATF for approval. If the BATF approves someone to purchase a class III weapon then, and only then, can they purchase said weapon. This process normally takes about 9 months. After this

class III weapon is attained it cannot be taken across state lines, or transferred to anyone in any way. Anyone who violates the simple laws will be faced with stiff penalties. Not even the most lenient gun owner would even think of violating a class III law. This law was simple and highly effective. Anyone who is into guns can tell you these types of weapons are just simple not used in crimes, period. As a matter of fact, I contacted a Sergeant from The New Albany Police Department who co-owns a shop in town with my family and his response was this, "To my knowledge, in the 20 plus years I've been in service with the police department, not once have I seen a class III weapon used in a crime." And obviously, the reference to the class III weapon he is referring to here is a term from the National Firearms Act which refers to a short barreled rifle, short barreled shotgun, machine gun or silencer.

So, if assault weapons only account for two percent of crime, like we said before, why was there even an assault weapons ban to begin with? Why is so much attention put on something that has so little to do with overall gun violence? Well, to better explain that, let's take a look at the paper Juries, Gender, and Assault Weapons. I'm sure no one wants to sit down and read a 40 plus page paper so allow me to condense it for you. This paper finds a very clear trend amongst people who use assault weapons in crime. They tend to get longer prison sentences. A person who uses a Ruger Mini-14 to kill one person should get the same amount of prison time as a person who uses an AR-15 to kill one person. I think many of you agree on this point, assuming there are no extra, gross details being left out. So why do they get different prison sentences and why are we even talking about this? Well, that's because a Ruger Mini 14 is a traditional, wood stocked, style rifle you may see on a ranch, a farm, or propped up in the corner of a hunters closet, while an AR-15 is a weapon that looks identical to the M-16 that the military uses. Although there are internal, mechanical differences the M-16 and the AR-15 are, to the eye, identical. So why does this cause people who commit crimes to get longer prison sentences? That's due to the fact that over the

years, through media, and other means of coercion, the American people have somehow come to the conclusion that a military style rifle is somehow worse than a traditional style rifle. Possible it's because people view the military as more trained to kill and more dangerous, so a weapon used by the military must be somehow more dangerous. So, an AR-15, that looks like an M-16, must fall into this category of being more dangerous. I realize that there are many hasty generalizations, and other fallacies along the lines of reasoning but the conclusion still remain the same. People view assault style rifles as being more dangerous and that's why people who use them tend to get longer sentences. This is why so many people have put so much effort into banning something that only accounts for two percent of violent crime. They somehow think they are more dangerous, when in reality they are no more or less dangerous than any other gun.

Ok, so we know what has failed in the past. We know what has worked. We know that assault rifles seem like they're a big problem due to media, the military, and cognitive fallacies, even though they're actually a small part of the problem. What do we do? Where do we go from here? We can't just ignore assault rifles, or the other 300 million guns in The United States. We cannot just ignore the mental health epidemic we face. Gun violence is a huge problem. We have to do something, right? Absolutely. Here's what I'm proposing.

First we need a clean cut definition as to what an actual assault rifle is. Even though they only account for two percent of the crime they still need to be properly defined. This has been a major problem in the past. There has never been a clean cut definition as to what an assault rifle actually is. How can we face a problem if we don't even know what the problem is. Like we said before, assault rifles only account for two percent of crime. If we use the definition of an assault rifle given by the 1994 assault weapons ban, this is true. If we use a different definition, those numbers may sky rocket. So, let's give a good definition, so we can properly face this part of the problem. I believe the definition of an assault rifle should be simple. Here's what I believe the

parameters should be. Any rifle, (and the BATF is very clear on what constitutes a rifle), that can fire 10 or more rounds in 3 or less seconds and has a bullet capable of delivering more than 250 ft. lbs. of energy. This would eliminate a lot of the loop holes, and it would also exclude many of the smaller caliber rifles used only for shooting targets. With this clean cut definition it will be easier to regulate these types of weapons.

So now that we have a clean cut definition on what an assault rifle actually is, what should we do about it? I'm not proposing assault rifles be banned. I am suggesting they be treated as class III weapon though. Many would argue against this but isn't it a little outlandish to say we cannot have shotguns with barrels less than 18 inches, rifles shorter than 16 inches, which are just as dangerous as guns with longer barrels, but we can have a rifle that fires 50 bullets with 1,500 foot pounds of energy each? Proponents against this would argue against it but the line has to be drawn somewhere. With shotguns for example, at 18 inches of barrel length I am fine, but subtract 10% of that length with a hacksaw and it's jail time. The same goes for rifle barrel lengths at 16 inches. There is no 18 inches give or take a few inches. It's 18 inches, period. But, when it came to assault rifles, they chose a definition which was at many times flexible, arbitrary, or all together, non-existent definition. The line has to be drawn somewhere. And as I stated before, this is not a ban, it's just stricter regulation.

Secondly, is the issue of mental health. This has to be talked about. According to the Mayo Clinic 70 percent of people are on medication. The majority of these medications are for mental disorder or have strong cognitive side effects. Why do you think people pick up a gun and kill someone in the first place? These guns don't do this on their own. The mind set of the people who commit these types of crimes has to be considered. Here's what I'm suggesting. If 3 family members report someone to the B.A.T.F as being mentally unsound and unable to own a firearm the individual would not be allowed to own one for a year. Of course, there would be a repeal

process set in place where the individual could appeal this, after being mentally evaluated that is. This bill would mostly be to keep guns out of the hands of people who are going through tough times, are adjusting to strong medication, may be facing domestic problems, struggling emotionally or face another temporary struggle. This bill would not be aimed at people with physical disabilities, only people who should not be owning a gun “right now”. Proponents, such as those found in the articles titled, Refuting Anti-Gun Control Arguments, and 10 Arguments For and Against Gun Control, would argue that this violates HIPPA rights, which is the right of a person to be secure in his medical information. Again, this has nothing to do with doctors. This is only a suggestion from 3 family members. Proponents would also argue that banning gun ownership is unconstitutional. Again, this is not a ban, this is a temporary 1 year delay of owning a gun.

Thirdly, we must discuss handguns. As I stated before it's estimated that assault rifles only account for two percent of gun deaths. Well, where does the rest of the deaths come from. The answer is simple. Hand guns. If you think about it, logically, there is only one other place to search. If it's not the long gun it has to be the short gun, or the hand gun. To tackle this problem I would suggest we use a little bit of new age flare. As it stands now, there are over 18 different smart guns, and none of the major manufactures are making them, period. Here's what I'm suggesting. The top 10 largest gun will receive government grants to add one new smart gun to their product line by 2025. We have to start somewhere. Who knows in 50 years we could eradicate gun violence. More research has to be done. Gun manufactures have to get on board. Smart phone and computer technology doubles every 18 months but gun technology has largely remained the same for the last 100 years. This has to change. Imagine a future where 100 percent of the firearms are smart. If they were reported stolen they would immediately stop working. If the gun senses a child's hands on its grips it would shut down and become inoperable. The gun would only function in the hands of the person it was registered to. Databases could be created. Individuals with felonies, or violent

misdemeanors would be added to this database and would henceforth be incapable of firing a smart gun. The research has to start somewhere. The time is now.

In conclusion, I would like to say this. I have been on several online gun forums following some of the largest mass shootings. The amount of heart break that people express is unexplainable. The same goes for the anti gun group. Their hearts break for the families and their loss. We are all the same. Whether gun, or anti gun people, we are all people. I'm tired of people hopping back and forth between a line drawn in the sand. It's always been the anti gun people vs the gun people. This has to end. Let's erase this dividing line between us and come together, as people, not just gun, or anti gun people, and stop this senseless violence.

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