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Updated Evidence and Policy Developments on Reducing Gun Violence in America

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Introduction

Daniel W. Webster and Jon S. Vernick

Reducing Gun Violence in America: Informing Policy with Evidence and Analysis was published in 2013 only 44 days after twenty children and six adults were murdered in a mass shooting at Sandy Hook Elementary School in Newtown, Connecticut. This 2014 update to *Reducing Gun Violence in America* summarizes some key points made in the book and provides new data, research, policy developments, and analysis.

Despite the growing number of people killed and wounded in mass shootings and the more than 11,000 murders and 19,000 suicides with guns annually, little has been done to strengthen porous federal gun laws since 1996, when legislation was enacted to prohibit persons convicted of misdemeanor crimes of domestic violence from possessing firearms. In fact, since then, the U.S. Congress has actually weakened federal gun laws by giving the gun industry immunity against most lawsuits, preventing the release of crime gun trace data, mandating the destruction of data from background checks within 24 hours, and limiting research that might threaten the gun lobby.

There was reason to believe that the mass shooting in Newtown might reverse that trend. At a time when mass shootings were occurring with regularity

in the United States, this tragic loss of so many young lives was a seminal event. The outpouring of grief and support for the families were overwhelming. News coverage of the event and of the many difficult issues it raised—the role of guns in violence, gun control, mental illness—was pervasive.

America had been shaken by many other mass shootings in recent years, but the tragedy at Newtown seemed different. Public opinion data collected following the Newtown shootings (see *Reducing Gun Violence in America*, chap. 19) demonstrated overwhelming, bipartisan support to strengthen policies to keep guns from high-risk individuals. New groups to advocate for stronger gun laws were formed, such as Moms Demand Action for Gun Sense in America and Americans for Responsible Solutions, while others saw expanded membership and activism, such as Mayors Against Illegal Guns and Faiths United to Prevent Gun Violence. The Center for American Progress, an influential think tank for progressive policies, took on gun policy as one of its priority issues.

Advocates were pleased to see President Barack Obama and Vice President Joseph Biden press for stronger gun laws, Congress hold hearings on the long-dormant issue, and several bills introduced to strengthen federal gun laws, including one cosponsored by Senators Joe Manchin (D-WV) and Pat Toomey (R-PA)—both from states with large numbers of gun owners—to expand background checks for some gun sales. But the background check bill did not garner sufficient support in the Senate to move forward and the Republican-led House refused to consider it or any other bill to strengthen gun laws. The only gun-related legislation passed was a renewal of a ban against firearms undetectable to metal detectors. The update by McGinty and colleagues in the present volume (chap. 19) articulates the structural hurdles for reforms at the federal level as well as the potential for optimism over the longer term.

In their update (chap. 8), Webster and colleagues note that gun laws were strengthened in 15 states plus the District of Columbia in 2013. The jurisdictions affected accounted for roughly 44% of the U.S. population. Eight of these states made fairly substantial changes, including Colorado, Delaware, and Illinois, each enacting background check requirements for all handgun sales. Maryland adopted a licensing system for handgun purchasers and stronger regulation of gun dealers. California, Connecticut, and Maryland expanded firearm prohibitions for high-risk individuals. Assault weapon bans or restrictions on large-capacity ammunition magazines were passed or strengthened in California,

Colorado, Connecticut, Maryland, and New York. Rosenthal and Winkler's update (chap. 18) indicates that, although there have been a number of legal challenges to gun laws based on claims that the laws violate the Second Amendment, nearly all have been unsuccessful.

Moreover, the Obama administration took action on many relevant executive orders. As the update by Vernick and Webster (chap. 10) discusses, a director of Bureau of Alcohol, Tobacco, Firearms and Explosives was finally confirmed by the Senate and several other gun dealer-specific changes were made. Braga and Gagliardi (chap. 11) identify additional steps the administration could take to strengthen gun law enforcement.

In his essay on advances in gun safety technology (chap. 13), Teret describes progress on personalized guns, which cannot be fired by unauthorized users. This includes executive actions by President Obama, reports by the National Institute of Justice on the technology, challenge grants to design safer guns, and the introduction of legislation to eventually require that all guns be designed so that they are childproof or inoperable by unauthorized users.

We believe too little attention has been given to questions about those conditions that should disqualify someone, even if temporarily, from possessing firearms; the only exception has been issues associated with mental illness. Swanson and Robertson's (chap. 3) update highlights the limits of focusing on mental illnesses as disqualifying conditions as a means to reduce criminal gun violence. Their update, congruent with updates by Wintemute (chaps. 6 and 7) and by Zeoli and Frattaroli (chap. 4), promotes a more data-driven approach to firearms policies to keep guns from individuals whose past criminal behavior, including domestic violence and alcohol offenses, should prohibit firearm possession.

There remains one other reason for at least some long-term optimism. In 2013, federal agencies made awards for or released requests for proposals on research on gun violence. The Institute of Medicine issued a report with recommendations for new federal funding of public health research on gun violence. We also saw new initiatives by private foundations to support research, policy analysis, and prevention efforts directed at reducing gun violence in the aftermath of the tragedy at Newtown. We hope that these efforts will lead to better science that can be applied to the pervasive problem of gun violence in America.