
SENATOR FOR A DAY PROGRAM

SENATE BILL

NO. 8
Session of 2020

INTRODUCED BY _____ March 5, 2020

REFERRED TO SENATE STATE GOVERNMENT COMMITTEE

Assault Weapons Ban

The possession, use, or sale of an assault weapon shall be considered a misdemeanor of the third degree.

There will be a voluntary buyback period for any assault weapon owner that will last for three months after the passage of this act. The buyback program will be administered by the State Police.

This bill shall take effect immediately.

Three Simple Reasons Why an Assault-Weapons Ban Is Bad Policy

By DAVID FRENCH, MARCH 27, 2018

It's always remarkable to me that assault-weapons bans dominate the gun-control conversation after mass shootings. Yes, I understand that AR-15s or similar weapons have been used in a number of recent attacks, but when we slow down, take a breath, and look at actual gun crime, the logic for banning the kind of weapon that millions of Americans use for entirely lawful purposes (including self-defense) starts to disappear.

Let's break this down by three broad categories of gun deaths.

First, an assault-weapons ban is irrelevant to suicide deaths. The large majority of gun deaths are suicides, and there is no credible argument that an assault-weapons ban will have the slightest effect on suicide. I'm not sure that I've ever even heard anyone make the argument.

Second, an assault-weapons ban is statistically meaningless to homicide deaths. Rifles of all kinds **kill fewer people** annually than knives or even feet or fists. An assault-weapons ban (really a ban on future sales; proposed laws would not take a single so-called assault weapon off the streets) would be aimed at a firearm that is rarely used to kill.

Third, there's no evidence that banning assault weapons would prevent mass shootings. This is a key point. The post-shooting debate is often conducted as if folks think that if a mass shooter can't get an assault weapon, he won't shoot at all. Blocking access to a new AR-15 is not remotely the same thing as stopping a mass shooting.

In reality, the move to ban AR-15s rests on a different idea — the notion that the ban will *possibly* decrease the lethality of any given mass shooting. Aside from the most unusual circumstances (such as the Las Vegas shooting), this is speculative. After all, the history of mass shootings demonstrates that men wielding handguns are capable of inflicting terrible losses, and handguns are generally the **weapon of choice** for mass killers.

An assault-weapons ban represents the worst form of gun control. We know it would burden the self-defense rights of law-abiding Americans without meaningfully addressing the problems it's purportedly designed to address. We know it wouldn't impact overall gun death rates. We don't have evidence it would prevent mass shootings. Given that reality, it looks much less like rational policy-making and much more like legislative emoting — a moral gesture with the primary impact of diminishing American constitutional rights.

10 Advantages and Disadvantages of Gun Control

by Editor in Chief

On October 1, 2017, 58 people were killed and 546 were injured when a gunman opened fire with a semi-automatic weapon equipped with a bump stock from a hotel suite in Las Vegas.

On June 12, 2016, 49 people were killed and 58 were wounded when Omar Mateen took firearms onto the property of the Pulse nightclub in Orlando, Florida.

On December 14, 2012, Adam Lanza took firearms into an elementary school and killed 20 children, between the ages of 6 and 7. He also killed six staff members at the school.

On July 20, 2012, James Holmes took firearms into a movie theater during a screening of *The Dark Knight Rises* and killed 12 people and injured another 58 more. 12 additional injuries occurred during the response to the shooting.

On April 20, 1999, Dylan Klebold and Eric Harris brought firearms to their high school and killed 13 people before taking their own lives.

The history of mass shootings in the United States is one that tells a dark chapter. In 1873, a group of white citizens in Louisiana killed and hung up to 150 African-American citizens. In 1890, US soldiers took machine guns into a Lakota village and killed 200 men, women, and children. In 1921, white citizens in Tulsa set African-American neighborhoods on fire and then shot at those who fled, killing upwards of 300 people.

It's long overdue to discuss the advantages and disadvantages of gun control in a meaningful way. Here are some of the key points to think about.

List of the Advantages of Gun Control

1. Most mass shootings in the US come from legally purchased firearms.

Mother Jones reviewed over 70 mass shootings in the United States that covered more than 3 decades of incidents. They discovered that in nearly

75% of the incidents they looked at, the firearms used to take lives were legally purchased. By creating more restrictions on legal purchases, it may be possible to reduce the number of mass casualty incidents that occur.

2. Having access to a gun increases the risk of violence.

According to a 2004 study by Linda Dahlberg, simply having a firearm in a home increases the risk of a homicide or a suicide occurring. That increase remains no matter how many guns are owned or how safely they are locked in a gun safe. The New England Journal of Medicine published a study by Arthur Kellerman that shows people living in a home face a risk of homicide that is 40 times higher than people in a home without a firearm. The risk of a firearm-related suicide is 90 times higher when a gun is in a home.

3. People who shouldn't own guns can still purchase them.

Private-sale exemptions exist under US law that do not require a background check on the individual. The Brady Bill states that private sellers can sell a firearm to an unlicensed resident of the state where they live as long as they do not know or have a reasonable cause to believe that person should be prohibited from owning a firearm. Although some state laws have closed this loophole, it is still possible for people who are restricted from owning firearms to still purchase one. Gun control legislation could stop this from happening.

4. Gun control does not require confiscation.

There is a right to bear arms for self-defense in the United States, protected by state laws and the Constitution. The US Supreme Court has struck down handgun restriction laws because of this right. Gun control doesn't need to involve confiscation or restriction. Something as simple as licensing and requiring an understanding of how to use it could reduce gun violence. Funds could even be set aside so that licensing and safety classes are low-cost or free.

5. It could reduce accidental injuries.

Unintentional shootings caused the deaths of over 600 people in 2010. From 2005-2010, more than 1,300 people who were the victim of an unintentional shooting were under the age of 25. Over 30% of unintentional deaths caused by firearms could be prevented by the addition of a loading indicator and a childproof safety lock. Even in gun control legislation included safety measures alone, lives could be saved.

List of the Disadvantages of Gun Control

1. Gun control legislation would likely create a black market.

If someone wants to own a gun, they're going to own one. That is a pretty basic principle that applies to legal and illegal gun owners. Gun control legislation attempts to create more safety by creating more loops for legal owners to jump through to own a firearm. There will always be people who steal firearms or alter information on background checks to circumvent laws. Gun control legislation would likely create a separate black market for ownership for those who simply want a self-defense option.

2. Fewer guns doesn't change the condition of the heart.

Gun control laws have arguably caused gun violence incidents to reduce around the world, but alternative weapons are still used to commit crime. Knife attacks, vehicle attacks, and homemade explosives can do just as much damage as a gun can, and in some instances more damage, when put into the right hands.

3. Most gun-related deaths in the US are from suicides, not homicides.

Out of the 10,000+ firearm-related deaths that occur every year in the United States, more than 7,000 of them are suicides. That data point shows a need to improve access to mental health services, community supports, and other resources that can help people in crisis.

4. People fear guns because they don't understand them.

Guns are often feared not because of what they can do, but because of what they represent to an individual. Most people own a firearm because they use it as a tool or for a sport. By getting to know a firearm and learning how to use it responsibly, being around a gun doesn't need to be a fearful experience.

5. It won't change the value of a human life.

Gun violence occurs because there is a lack of respect for the value of human life. Arguments devolve into violence because of an emotional reaction. Gangs use gun violence as a way to establish territorial control because they feel like their lives aren't being valued. Some might say gun violence is a heart problem, but it is a value problem. The US Constitution speaks of equality for all. That should be what is addressed instead of a person's access to firearms.

The advantages and disadvantages of gun control are divisive. Some see them as controversial. Others see it as a pointless conversation. The bottom line is this: every person offers an important perspective that deserves to be

shared. Our stories, combined with the proven facts about guns and firearm violence, can lead us toward the right course of action.

About the Author of this Article

Natalie Regoli is a seasoned writer, who is also our editor-in-chief.

It's time to bring back the assault weapons ban, gun violence experts say

Christopher Ingraham

Feb. 15, 2018 at 1:23 p.m. EST

The perpetrator of Wednesday's horrific school shooting in Parkland, Fla., [purchased his military-style assault weapon legally](#). So did [the man who shot more than 400 people](#) in Las Vegas in October. So did [the man who gunned down 49 people](#) at Orlando's Pulse nightclub in 2016. So did [the man who gunned down 26 worshipers](#) at a church in Texas in November.

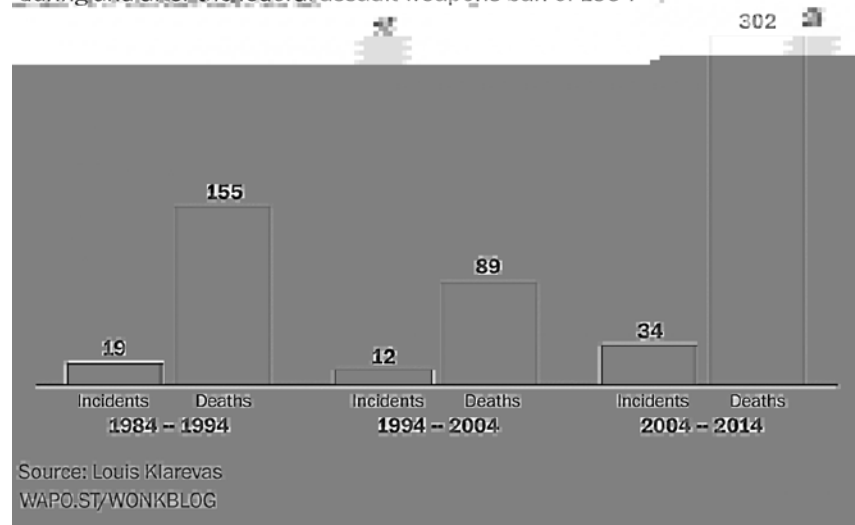
Easy-to-obtain assault weapons, [once banned under U.S. law](#), are a common thread connecting many of the deadliest mass shootings that have occurred in the past few years. Many gun violence experts believe that it's time to bring back the federal assault weapons ban — or at least something like it.

“You would see drastic reductions in what I call gun massacres” with the return of the 1994 federal assault weapons ban, said Louis Klarevas of the University of Massachusetts at Boston.

For his 2016 book [“Rampage Nation,”](#) Klarevas collected data on every gun massacre — which he defines as six or more people shot and killed — for the 50 years before 2016. His aim was to see whether there was any change in the number of gun massacres while the 10-year federal ban on assault weapons was in place.

Gun massacre fell during the assault weapons ban

Gun massacre (6+ deaths) incidents and fatalities in the decades before, during and after the federal assault weapons ban of 1994



He calls the results “staggering.”

Compared with the 10-year period before the ban, the number of gun massacres during the ban period fell by 37 percent, and the number of people dying from gun massacres fell by 43 percent. But after the ban lapsed in 2004, the numbers shot up again — an astonishing 183 percent increase in

massacres and a 239 percent increase in massacre deaths.

Klarevas says that the key provision of the assault weapons bill was a ban on high-capacity magazines capable of holding more than 10 rounds. “We have found that when large capacity mags are regulated, you get drastic drops in both the incidence of gun massacres and the fatality rate of gun massacres.”

The opinion is shared among many researchers who study gun violence for a living. In 2016, for instance, [the New York Times asked 32 gun policy experts](#) to rate the effectiveness of a variety of policy changes to prevent mass shootings. The roster of experts included violence prevention researchers like Harvard's David Hemenway, as well as more ideologically driven gun rights advocates like John Lott.

On a scale of effectiveness ranging from 1 (not effective) to 10 (highly effective), the expert panel gave an average score of 6.8 to both an assault weapons ban and a ban on high-capacity magazines, the highest ratings among the nearly 30 policies surveyed.

The killers in recent incidents like [Las Vegas](#), [Orlando](#) and [Sutherland Springs](#) were each able to walk into a gun shop in the days and months before their attacks, and legally purchase their assault weapons and magazines after passing a standard background check. Under an assault weapons ban, that wouldn't be possible.

Gun rights groups like the National Rifle Association oppose such bans. They point out that [most owners of such weapons are law-abiding citizens](#), and that [the millions of the guns and magazines in circulation](#) would make enforcement of any such ban a challenge. They also note, correctly, that the overwhelming majority of gun homicides are committed with handguns, making the impact of an assault weapons ban on the overall crime rate minimal.

Supporters of an assault weapons ban, like Sen. Dianne Feinstein (D-Calif.), say that the goal of the bans is to prevent horrific mass shooting incidents, not stop the run-of-the-mill gun violence that kills dozens of Americans each day. Feinstein, along with 22 Democratic colleagues, [introduced an assault weapons ban in the Senate](#) after the Sutherland Springs shooting in Texas.

“This bill won't stop every mass shooting, but it will begin removing these weapons of war from our streets,” Feinstein said in a statement. “Yes, it will be a long process to reduce the massive supply of these assault weapons in our country, but we've got to start somewhere.”

Feinstein's bill would ban 205 specific “military-style assault weapons” by name, and it more broadly bans firearms containing a detachable magazine and one or more “military characteristics,” including “a pistol grip, a forward grip, a barrel shroud, a threaded barrel or a folding or telescoping stock.” Current owners would be allowed to keep their existing weapons.

Feinstein's bill would also ban high-capacity magazines capable of holding more than 10 rounds of ammunition.

A number of surveys show that bans on assault weapons and high-capacity magazines are popular among the general public. A [2017 Pew Research Center poll](#) found that 68 percent of adults favor banning assault weapons, and 65 percent support a ban on high-capacity magazines.

More strikingly, [substantial numbers of gun owners supported the measures as well](#): 48 percent of gun owners in that poll said they would support a ban on assault style weapons, and 44 percent said they favored a ban on high-capacity magazines. A Quinnipiac poll conducted later in the year [showed similar numbers](#).

While these measures may be popular among the public, Republicans in Congress have effectively stymied the passage of any significant gun control legislation for well over a decade. The last significant gun control measure passed by Congress [was a modest package of improvements to the background check system in 2007](#). It was supported by the NRA.

In recent years congressional Republicans have been more focused on expanding access to guns, rather than limiting it. In December [the House passed a measure](#) that would allow gun owners with concealed carry permits in one state to carry their weapons in every other state.

The experts polled by the New York Times in 2016 rated that as the least effective measure, by far, for dealing with mass shootings.

Corrections: An earlier version of this piece mis-stated the number of rounds held in a "high-capacity" magazine. It is more than 10 rounds, not 10 or more rounds. Additionally, the percent drop in gun massacre deaths while the 1994 assault weapons ban was in place was 43 percent, not 49 percent.