

# A Stalled Farewell to Arms—Reinvigorating the Gun Control Movement

By Richard Aborn and Marlene Koury

## Introduction

Gun violence continues to plague America, despite historic reductions in crime. From being a burning national issue gun violence has receded from the public's consciousness and disappeared from the nation's political agenda. The gun control movement has felt the brunt of this retreat, while gun control opponents have continued to garner strength. Why is this?



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41 homicides by firearm in 2009.<sup>5</sup> Other industrialized nations have similarly low numbers. In 2009, the number of homicides by firearm were: 5 in Northern Ireland; 24 in Finland, 30 in Australia; 55 in The Netherlands; 90 in Spain; 173 in Canada and 188 in Germany.<sup>6</sup>



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One study comparing the rate of homicide by firearm across 23 countries shows that the rate of firearm death in the United States was 19.5 times higher than that of the other countries studied.<sup>7</sup> The number more than doubles when limiting the data to children and young adults. Firearm homicide rates for those aged 15-24 were 42.7 times higher in the United States than in the other countries studied.<sup>8</sup>

Something is wrong in America...is it the "gun culture?"

## America's "Gun Culture" and Its Impact on the Politics of Gun Control

The number of firearms possessed by civilians in the United States is estimated at 270 million—the highest figure in the world by a large margin.<sup>9</sup> With less than 5 percent of the world's population, the United States possesses 35-50% of the world's civilian-owned guns.<sup>10</sup>

The United States has a global reputation for being obsessed with guns. The Small Arms Survey has noted, disturbingly, that "any [global] discussion of civilian gun ownership must devote disproportionate attention to the United States, if only because of the scale of its gun culture."<sup>11</sup>

The NRA claims it's all about the Constitution, but does the United States Supreme Court agree?

The NRA derives much of its clout and brand "glamour" through its connection to a strong, deeply rooted "gun culture." The NRA embodies this gun culture and uses it as support for its assertion that Americans have an unencumbered "right to bear arms" allegedly guaranteed by the Second Amendment.<sup>12</sup> The meaning of the operative Second Amendment language, however, has been hotly debated: did the framers intend to confer an individual the right to bear arms, or was this right to be applied to those serving in the context of a militia?

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In this article, we look at the history of gun violence in America and its impact on legislative efforts to control it, the evolving Second Amendment jurisprudence, and the shifting political landscape, asking what can be done to return the gun political agenda to one grounded in reducing gun violence.

## Firearm Violence Is an Epidemic in the United States

Firearm violence in the United States far eclipses that of other industrialized nations, despite very sharp declines in the homicide rate in recent years. On average, nearly 100,000 people are shot—both intentionally and accidentally—each year in the United States,<sup>1</sup> resulting in an average of over 30,000 deaths each year.<sup>2</sup> Of those deaths, over 12,000 are homicides.<sup>3</sup> No level of violence is acceptable, but the amount of firearm violence in the United States is simply unconscionable; especially so when we know that much of it can be prevented.

Firearm injury and death are only one part of the problem. Firearms are also overwhelmingly used in the commission of violent crimes. In 2007, the most recent available data, there were 385,178 crimes committed with a firearm, including 11,512 murders, 190,514 robberies and 183,153 aggravated assaults.<sup>4</sup>

The level of firearm violence in the United States compared to other industrialized countries is embarrassing. For example, in the United Kingdom, there were only

The Supreme Court took the opportunity to interpret this language for the first time in 70 years in the landmark case *District of Columbia v. Heller*, 554 U.S. 570 (2008). In *Heller*, a five-to-four decision, the Supreme Court struck down a decades-old Washington D.C. law that banned handguns and required safe storage of firearms kept in the home. The court determined that the law was unconstitutional, finding that the Second Amendment guaranteed Americans the right to bear arms “for traditionally lawful purposes, such as self-defense within the home.”<sup>13</sup> *Heller*, however, was not the broad sweeping victory that the NRA claimed. Contrary to the NRA position that the Second Amendment is a barrier to all gun control laws, the so-called “individual right” identified in *Heller* is restricted to the right of an individual to possess a handgun in the home for self-defense.<sup>14</sup> Moreover, *Heller* explicitly held that the possession of firearms was subject to reasonable regulations.<sup>15</sup>

Two years after *Heller*, the Supreme Court ruled that the Second Amendment applied to the states. In *McDonald v. Chicago*, 561 U.S. 3025 (2010), the Supreme Court held that “The Fourteenth Amendment makes the Second Amendment right to keep and bear arms fully applicable to the States.”<sup>16</sup> *McDonald* did not, though, expand the right determined in *Heller*, even though it had the opportunity to do so.<sup>17</sup>

Were the *Heller* and *McDonald* decisions a blow to the gun control movement? For years, the NRA had argued with great passion that the Second Amendment was a barrier to gun control laws. The decisions in *Heller* and *McDonald* limit this argument to a handgun in the home kept for self-defense.

In the three years since *Heller*, a number of constitutional challenges to gun control laws have been overwhelmingly rejected by courts.<sup>18</sup> Courts have rejected *Heller*-based challenges to an Illinois law prohibiting carrying a loaded firearm in public,<sup>19</sup> a Pennsylvania law prohibiting guns in the workplace,<sup>20</sup> a Georgia law prohibiting firearms in places of worship,<sup>21</sup> and a New York law regarding a conceal-carry licensing scheme.<sup>22</sup>

## The NRA and the Damage Done

The NRA is not just an interest group of America’s gun owners—the NRA is extremely well-organized and well-funded, with estimates that it has received nearly \$40 million in support from the gun industry since 2005.<sup>23</sup> Many of its policies, particularly those that benefit manufacturers, are likely in place to appease not its members, but to secure its future funding from the gun industry.<sup>24</sup>

The NRA has never met a gun control law it likes. Toward this goal, the NRA has “a team of full-time lobbyists defending Second Amendment issues on Capitol Hill, in state legislatures and in local government bodies.”<sup>25</sup> The NRA is so politically powerful that many politicians—including President Obama—fear advocating for reasonable gun control or opposing dangerous pro-gun legislation.<sup>26</sup>

The power of the NRA, however, does not flow solely from its coffers. It would be a significant mistake to underestimate its ability to organize politically and get its members to vote, and a bigger mistake to underestimate the power that flows from this organizing ability.

For example, the NRA lobbied for the passage of the Firearm Owners’ Protection Act (FOPA).<sup>27</sup> This law prohibits establishing a federal registry of firearms, firearms owners, and firearms transactions and dispositions and also repeals significant parts of the Gun Control Act, allowing convicted, violent felons to have their gun rights reinstated.<sup>28</sup> As a result, in many states, a violent felon who completes prison time may have his gun rights restored, including the right to carry.<sup>29</sup>

The NRA’s success in stopping reasonable gun control measures from passing has created a number of dangerous gaps in the nation’s gun control laws.

## Gaps in the Nation’s Gun Control Laws; The Impact on New York and Other States

Vitaly important measures impacting the conditions under which guns are sold and to whom are left to the states to determine, including: the regulation of assault weapons; requirement of licensing and registration, regulations regarding private purchases; limitations on the number of guns that can be purchased at any one time; ballistic fingerprinting; mandatory reporting of lost or stolen firearms; limits on large capacity magazines and child access prevention laws.

The relative ease with which a felon may have gun rights restored raises grave concern with the currently pending National Right-to-Carry Reciprocity Act of 2011.<sup>30</sup> As there is no federal legislation regulating the conditions under which an individual may carry a concealed weapon, states are left to regulate whether their residents are permitted to carry a concealed firearm, and under what conditions.

The conceal-carry reciprocity bill would force each state to recognize permits to carry concealed handguns issued by every other state.<sup>31</sup> This bill has passed the House. If passed by the Senate, it would all but paralyze each state’s authority to restrict who may carry guns within its borders.

The practical effect of this law is that a convicted, violent felon may have gun rights reinstated, and then obtain a conceal-carry permit from a state with weak conceal-carry permitting requirements. This violent felon may then travel to New York City legally carrying a concealed, loaded handgun, and there is nothing that can be done to stop this.

This “patchwork” nature of state laws results in wildly inconsistent gun laws, with some states having strong gun control laws while neighboring states have virtually none.<sup>32</sup> This inconsistency between states and a lack of

uniformity in gun control laws exposes Americans to the dangers of gun violence and, given the relative ease of carrying guns across state lines, undermines the ability of states to enact measures aimed at protecting their citizens from gun violence. In particular, the inconsistency of state laws enables gun trafficking—allowing criminals to get their hands on the most lethal weapons with relative ease.

### Trafficking in the United States

The gaps in federal gun control legislation and the lack of uniformity among state laws leave plenty of room for thousands of guns to flow freely between the legal and illegal market<sup>33</sup> as well as between the United States and other countries, especially Mexico.<sup>34</sup> There is a strong association between the strength of a state's gun laws and whether that state exports illegal guns to other states that are later used in crime.<sup>35</sup>

Unlike illegal drugs, which are principally imported from other countries, crime guns invariably originate inside the U.S. Nearly all guns recovered in crimes were originally sold by licensed U.S. gun dealers.<sup>36</sup> Guns used in crime tend to enter the illegal market through various channels, including corrupt dealers, private purchases made at gun shows, straw purchasers, unlicensed sellers and theft.<sup>37</sup>

States that have weak laws facilitate trafficking, such as failing to require background checks at gun shows, export a far greater number of guns that are later used in crime.<sup>38</sup> States that do not require background checks for all handgun sales at gun shows have an export rate two-and-a-half times greater than those states that require background checks.<sup>39</sup> In addition, states that do not require permits to purchase handguns have an export rate three times greater than those states that require permits.<sup>40</sup>

The resulting impact from the lack of national uniform standards combined with the inconsistency in state law can be seen most poignantly in New York. New York's strict gun regulations make it one of the states with the lowest gun export rates.<sup>41</sup> Conversely, weak gun control laws in states along the I-95 Corridor—or the “iron pipeline”—are responsible for a large number of trafficked guns found in New York.

For example, in New York, for 2010, there were over 8,000 guns recovered and traced that originated in another state.<sup>42</sup> Over 6,500 of the over 8,000 guns recovered were handguns.<sup>43</sup> Many of the guns recovered in New York originated in states with weak gun control laws, including Virginia, Georgia, North Carolina, Pennsylvania, South Carolina, and Florida.<sup>44</sup>

Arguably, New York has one of the most stringent, and most effective, gun control laws in the United States; its effectiveness, however, is undermined by other states.

New York's Sullivan Act is one of the oldest gun control laws in the country. The Sullivan Act was passed in

1911 in response to the callous murder of author David Graham Phillips as he was walking toward the Princeton Club near Gramercy Park.<sup>45</sup> On the way, Phillips encountered Fitzhugh Coyle Goldsborough, a mentally disturbed person who wrongly believed that Phillips' work was based on negative representations of his family.<sup>46</sup> Goldsborough shot Phillips six times before turning the gun on himself.<sup>47</sup> The Sullivan Act was passed that same year in response to this murder.

The Sullivan Act requires a person in New York to obtain a police-issued license in order to possess a concealable firearm.<sup>48</sup> In addition, the Sullivan Act makes it a felony to carry an unlicensed, concealed weapon.<sup>49</sup>

### The Gun Control Movement Responds to Gun Violence in America

As a result of the efforts of victims of gun violence, law enforcement, dedicated groups at the national and state level, elected officials, members of the clergy and other engaged citizens, the gun control movement has brought about effective, strong legislation, and hope to Americans that we are moving towards a time when we will all exist in a safer and more peaceful society. Unfortunately, the past few years have proved to be very difficult for the gun control movement.

The intensity of many of the movement's former core supporters has softened. The movement now exists in a more concentrated form: dedicated national and state groups and supporters, law enforcement and certain officials have held strong through this period of decline.

Yet in the face of this decline, firearm violence in the United States remains unconscionably high, as gun control laws are steadily weakened and pro-gun laws are pushed by the gun lobby, and as guns are freely trafficked directly into the hands of criminals at an exponential rate in the United States and in Mexico.

So why, despite the clear need for continued vigor, is the gun control movement struggling? The answer, undoubtedly, is multifaceted and complicated.

In our view, a large factor is that the gun control movement, unlike the so-called gun rights movement, and many other social movements, is not bound together by a single, collective goal that directly impacts individual supporters of the movement. Rather, the goals are broader and center on a collective desire to live in a safer, less violent society.

While the gun control movement has certain built-in organizing weaknesses relative to the gun rights and other social movements, critically, it is clear that the overwhelming majority of Americans—gun owners included—support reasonable gun control measures.<sup>50</sup> In many ways, this single fact is both the biggest hope for the movement, but also its biggest challenge.



## The Gun Control Movement, Interrupted

### Elements of Successful Social Movements

Social movements often follow a pattern of emergence at a grassroots level, followed by the development of a greater level of organization and clearly defined goals aimed at social policy reform. Commonly, a galvanizing or instigating event immediately precedes the switch from a grassroots or local movement to a fully realized, politically powerful movement. These events, such as a street vendor setting himself on fire in Sidi Bouzid, Tunisia,<sup>51</sup> or a seamstress refusing to give up her seat on a bus in Montgomery, Alabama,<sup>52</sup> often arrest the collective consciousness and magnetize people toward the swelling movement.

Although the Arab Spring and the Civil Rights movements had been germinating at a grassroots level, and had behind them years of social discontent, their respective galvanizing events shocked and inspired a broader group of people to join these emerging movements, transforming them into powerful social movements that brought a sea change to the political and social landscape.

The gun control movement shares some of these aspects.

### A History of the Gun Control Movement

The gun control movement cannot look to one galvanizing event, but, instead, has been shaped by a long line of bloody acts. As early as the 1930s, public outrage following firearm violence has spurred legislators into enacting gun control laws. The seeds of the gun control movement first emerged in response to the St. Valentine's Day Massacre of 1929, in which members of Al Capone's gang murdered members of a rival gang led by Bugs Moran. Widespread public outrage following the massacre led to the enactment of the first Federal gun control law—the National Firearms Act of 1934 (“NFA”).<sup>53</sup> The NFA regulated the sale of fully automatic firearms, which Capone's gang used in the massacre, as well as short-barreled rifles and shotguns.<sup>54</sup>

Over thirty years later, the next surge toward a gun control movement followed the assassinations of President John F. Kennedy, Robert Kennedy and Martin Luther King, Jr. The public grief following these tragedies sparked a national debate on gun violence resulting in the passage of the Gun Control Act of 1968 (“GCA”).<sup>55</sup> The GCA mandates the licensing of individuals engaged in the business of selling firearms, prohibits certain people from purchasing or owning firearms, such as felons, and regulates the interstate commerce of firearms.<sup>56</sup>

In the 1970s the gun control movement began to emerge as a well-organized, politically savvy, national movement.<sup>57</sup> With firearm violence swiftly escalating, gun control organizations such as the National Coalition to Ban Handguns (which subsequently changed its name to the Coalition to Stop Gun Violence) and the National Council to Control Handguns (which was subsequently

named Handgun Control, Inc., which in turn became the Brady Campaign to Prevent Gun Violence) were formed to encourage the enactment of sound gun control legislation. In later years, many more interest groups followed, such as the Legal Community Against Violence, PAX and the Million Mom March chapters. Many states developed strong state-level gun control organizations that played, and continue to play, a critical role in the effort to control gun violence.

As the movement grew, and with the strong support of these and other established gun control groups, significant pieces of federal gun control legislation were enacted. In particular, in 1993, twelve years after the assassination attempt on President Reagan, in which White House Press Secretary James Brady was permanently disabled, Congress passed the Brady Handgun Violence Prevention Act,<sup>58</sup> which mandated background checks on all licensed gun sales. In 1994, the Federal Assault Weapons Ban (which Congress declined to renew when its ten-year sunset provision expired)<sup>59</sup> was enacted. In 1996, the Domestic Violence Offender Gun Ban was enacted, which prohibits ownership of guns by those who have been convicted of a misdemeanor crime of domestic violence.<sup>60</sup> Gun violence and gun control had become hot topics in national political debates.

More recently, however, the gun control movement has been in a state of unfortunate decline. The question is why?

### Members of Successful Social Movements Have Something to Gain or Protect

Broadly speaking, successful social movements are sustained and reach the aims of the movement where their members have something to *gain* or a specific right to *protect*.

For example, the Civil Rights movement aimed to outlaw racial discrimination and to achieve equality for African-Americans. African-Americans, who had the most to gain, were the predominant members of the social movement. Similarly, the Women's Suffrage movement sought to obtain the right to vote for women. As such, women were the predominant members of that social movement and likewise with the Choice movement. Even more recent social movements, such as the Arab Spring or the marriage issue, while having broad support, are sustained by those with the greatest interest in gaining a right.

The National Rifle Association (“NRA”) fits snugly within this theory. The NRA is comprised primarily of approximately three million people.<sup>61</sup> It receives a staggering amount of financial support from the gun industry.<sup>62</sup> Like other successful social movements, the NRA mobilizes around the single goal of protecting a defined, however misconstrued, “right” for its members—the constitutionally couched “right to bear arms.” Using rhetoric filtered through this “right,” and by arguing, without any proof

whatsoever, that the gun control movement is actually a gun ban movement, the NRA has been successful in galvanizing its members to stall or repeal legislation aimed at removing guns from the hands of criminals. The NRA has convinced its membership that without its intervention no one would be able to have a gun.

The gun control movement, on the other hand, has a broader, less individualistic goal: seeking a safer, less-violent society. These goals are not particularly tied to any tangible “right” or the desire to possess a weapon or to any particular group of people, but rather to a broader “right” that applies to everyone: the right to live in a society free from gun violence.

While living in a society free from gun violence may be a collective desire, those who hold it, commonly, hold it as one among a large constellation of beliefs; gun control supporters tend to be broad-based progressives who also support education, environment and a host of other issues. In contrast, gun rights advocates tend to hold the right to bear arms more as a North Star that serves as a guide by which to take direct action in the form of voting. In a country that suffers low voter turnout, the ability to form single-issue voting blocs is a very powerful political tool. The NRA has succeeded in doing this; the gun control movement has not.

To be sure, other factors have impacted the gun control movement, and in particular the decline in crime.<sup>63</sup>

As crime has declined, the issue of gun violence has receded in the political agenda.

In the '80s and '90s, crime was such a major issue for Americans that in the presidential elections of both '88 and '92 crime was a major plank in the platform of both successful nominees. In the '88 cycle, a very tough-on-crime approach was espoused by George H.W. Bush encapsulated in the famous, or infamous depending on one's point of view, Willie Horton ads. In '92 then Governor Bill Clinton campaigned on a more expansive approach to crime, promising to add 100,000 police officers to the streets of America, combined with crime prevention programs and some regulation of illegal guns.

In August 1994, 52 percent of Americans told Gallup that crime was the most important issue facing the country; in November 2011, only 1 percent gave that answer.<sup>64</sup>

Undoubtedly, this politically charged atmosphere made the fight for gun control laws easier in the 1990s than now. The challenge now is for the gun control movement to persuade Americans that the fight is far from over, that while much progress has been made, much more has to be done; that illegal guns continue to destroy the lives of more American youths than we dare imagine, that our lack national policy has a deadly impact on other countries and perhaps, strategically most important of all, persuade gun owners that the movement does not seek to limit a law-abiding individual's ability to get a gun.

## Illegal Guns Continue to Destroy America's Youth

While gun crime has declined dramatically, there are still many areas of our country where illegal guns continue to cause mayhem.

In particular, youth violence in America continues at a very high level. Youth violence is the second leading cause of death for people between the ages of 10 and 24.<sup>65</sup> Injuries from youth violence that require emergency medical care—from cuts, bruises and broken bones to gunshot wounds—are astronomical. In 2008, 656,000 youths aged 10 to 24 required emergency medical treatments of injuries resulting from youth violence.<sup>66</sup> Children and young adults (those aged 24 and under) represent a staggering number of firearm homicide victims—over 4,600 each year.<sup>67</sup>

Youth violence is a significant problem in cities and states across America. For example, California, Illinois, Louisiana and New York are seriously affected by severe youth violence resulting in death.<sup>68</sup> Youths with fewer opportunities and those from disadvantaged backgrounds tend to be prone to engaging in violent behavior. For example, cities with some of the lowest high school graduation rates are also those with a disproportionate problem dealing with youth violence, including: Chicago, Detroit, Atlanta, Baltimore and Cleveland.<sup>69</sup>

The ease in which youth can access a firearm—either by finding one in the home, the home of a friend or relative, or on the street—translates to a high number of youth homicides committed by firearm. In 2010, 84% of children and young adults aged 10 to 24 who were victims of homicide were killed with a firearm.<sup>70</sup>

## Lack of Strong, National Gun Control Laws as a Foreign Policy Issue

In the same way that the United States' lack of national gun control laws impacts states with strong laws, particularly those that would stem trafficking, it also has a significant impact on other countries. This can be seen most clearly in the escalating levels of violent crime in Mexico.

Mexico has strong firearms laws, yet it suffers from an astronomical amount of gang- and drug-related firearm violence. The gangs are heavily armed, even though there are no retail gun shops in Mexico.<sup>71</sup> “Shopping” for firearms in the United States via trafficking has become commonplace for criminals in Mexico.

The United States, with our permissive gun laws, is a ready source of firearms for criminals in Mexico, arming the most violent and dangerous gangs with the most lethal weapons.<sup>72</sup> The primary clients of trafficked guns are the major drug cartels.<sup>73</sup> Most of the guns trafficked into Mexico are purchased legally in the United States, and then trafficked across the border to Mexico.<sup>74</sup>

About 87 percent of firearms seized and traced by Mexican authorities between 2004-2009 originated in the United States.<sup>75</sup> In 2008, about 25% of these firearms were high-caliber and high-powered such as AK and AR-15 semiautomatic rifles.<sup>76</sup> As drug trafficking organizations have acquired these more dangerous weapons, it becomes increasingly hard for the Mexican authorities to combat it.

The firearms trafficked to Mexico are typically purchased by straw-purchasers at firearms shops and at gun shows along the southwest border of the United States.<sup>77</sup> Most of the U.S. guns seized in Mexico originate from U.S. gun shows and pawn shops—where no background check is required.<sup>78</sup> Annually, approximately 20,000 firearms are trafficked from the United States to Mexico<sup>79</sup> with a worth of approximately \$20 million per year.<sup>80</sup>

Recently, the violence in Mexico began spilling over into the United States.<sup>81</sup> It is only a matter of time before the escalating violence in Mexico becomes more than a foreign policy issue, but one in which American citizens are placed in grave danger, particularly those who live in states that border Mexico.

But Mexico is not the only country feeling the impact of America's weak gun control laws. For example, in Brazil, a country struggling with epidemic levels of violence, roughly 59.2% of trafficked guns originate in the United States.<sup>82</sup> In Canada, the United States is the primary source of illegal guns.<sup>83</sup> In 2006, 96% of all firearms seized and traced at the border of Canada originated in or transited through the United States.<sup>84</sup>

### **Persuade Gun Owners That the Gun Control Movement Does Not Seek to Take Away Their Guns**

Finally, the single biggest challenge is to convince legitimate gun owners that the movement does not seek to take away their guns or eliminate the ability of law abiding Americans to purchase firearms.

The focus of the gun control movement is to reduce the gun violence in America by instituting reasonable, national gun control legislation aimed directly at keeping guns out of the hands of criminals, children and other prohibited persons.

The solutions are not complicated. There are easily identifiable gaps in the national legislation that, if closed, would go a long way to reducing the level of gun violence in America. Legitimate gun owners should support these measures to secure their own safety and the safety of friends, family and fellow Americans. But, until the gun control movement convinces gun owners that the movement does not seek to prevent law abiding citizens from owning guns, the movement will continue to struggle, losing a potential valuable base of support and also losing the opportunity to significantly undermine the voting strength of the NRA.

### **A National Gun Control Policy; Stem Trafficking at Home and Abroad**

There are four main areas in which we need strong, federal legislation to stem the tide of gun trafficking both in the United States and across its borders: (1) require background checks for *all* gun sales, not just those from federally licensed dealers; (2) impose a limitation on the number of guns that can be purchased at any one time to remove the economic incentive in trafficking; (3) reinstate the Assault Weapons Ban and ban on large capacity magazines; and (4) invoke national licensing and registration of all handguns.

First, the lack of required background checks for private firearms sales means those private sales of firearms from one individual to another, including private sales at gun shows, are not subject to the background checks requirement nor must they be documented in any way. An otherwise prohibited person, a felon, minor, or those who have committed misdemeanor domestic abuse and the mentally ill can easily purchase guns from private sellers.<sup>85</sup> As a result, criminals or other prohibited persons can easily get their hands on lethal weapons simply by purchasing them in a "private" sale.

Second, there needs to be a limit on the number of guns sold to a single person in a defined period of time. Although a federally licensed dealer that sells two or more handguns within five business days to the same person must report the information to the ATF,<sup>86</sup> there is no limit on the number of guns a person can purchase.

In addition, there is no limit or reporting requirement connected to multiple purchases of long guns, including semi-automatic assault weapons, which can be purchased at a time. With the street price of guns exceeding the retail price, there is a strong economic motive for traffickers to buy guns in bulk and sell them on the streets.<sup>87</sup> Limiting the number of guns a person can purchase at a time would eliminate this economic incentive and help to stem trafficking.<sup>88</sup>

We must reinstate the Assault Weapons Ban. This would cut the supply of the most lethal and increasingly popular guns.<sup>89</sup> There is simply no reason to allow the sale of these lethal weapons. The Assault Weapons Ban, when it was in place, was shown to increase public safety.<sup>90</sup> Its immediate reinstatement is necessary to stem trafficking, particularly to Mexico.

We must have national licensing and registration to eliminate the myriad of far too weak local laws that fuel the illegal markets.

### **Conclusion**

Fighting for gun control has never been easy. The Brady Bill and the original ban on assault weapons took over five years to get passed. If anything, it is more difficult now than it was in the 90s; the country's focus has turned elsewhere. But that doesn't mean it can't be done.



At the end of the day, the fight for a sane national gun control policy is a raw political fight. We understand the needed policy, can argue based on evidence that it will work, but we need to change the political dynamics.

In many ways, the gun control movement has a single task. The movement must convert voting for a gun control measure from an act of political courage into an act of political necessity. That and only that needs to be the gun control movement's North Star. Every effort dedicated to changing the political equation, every effort set firmly in the goal of making voting for an act of gun control, must become an act of political necessity. Once that is done, all else will follow.

## Endnotes

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