

## **At-a-Glance Issue Overview: Gun Control**

### **PurpleState Research and Analysis Department**

#### **Gun Control Laws:**

Federal law provides the basis for firearm regulation in the United States, but states and cities can impose further restrictions. Examples of gun control laws include:

1. require background checks on all gun purchasers;
2. license firearm owners;
3. register all firearms;
4. regulate firearms dealers and ammunition sellers;
5. require the reporting of lost or stolen firearms;
6. impose a waiting period before the sale of a firearm; and
7. limit firearm purchases to one per person every 90 days.

#### **Gun Control Laws in Practice:**

1. The U.S. Supreme Court has ruled against certain gun laws. In 2008, the court struck down a Washington, DC law that banned handguns.
2. Some states, such as Idaho, Alaska, and Kansas, have passed various laws attempting to nullify federal gun legislation. Some legal analysts say these are unconstitutional.
3. The U.S. Supreme Court has upheld some firearms restrictions, such as bans on concealed weapons and on the possession of certain types of weapons, as well as prohibitions against the sale of guns to certain categories of people.
4. The Gun Control Act of 1968 prohibits individuals under eighteen years of age, convicted criminals, the mentally disabled, dishonorably discharged military personnel, and others from purchasing firearms.
5. In 1993, the Brady Handgun Violence Prevention Act mandated background checks for all unlicensed individuals purchasing from private dealers.

### **Why gun control is controversial:**

#### Arguments supporting gun control:

1. The 2nd Amendment was designed to ensure a “well regulated militia,” which today is in the form of the National Guard. There is no need for heavily armed citizens.
2. Reducing the number of guns will reduce the amount of gun violence in the US, including suicide and accidents.
3. There is no evidence that having a gun for personal protection reduces crime, gun violence, or makes individuals safer.
4. There is no need for individuals to have military style weapons and extended magazines for hunting and personal protection or other recreational gun-related activities.
5. Sensible gun control such as universal background checks, red flag laws (for taking guns away from someone who is likely to harm themselves or others), and limiting particular types of weapons and accessories such as extended magazines can limit the potential harm an individual can cause.
6. Having less guns in households will decrease the access that family members have to use them, and in turn decrease the number of accidental deaths or use by someone else.

#### Arguments opposing gun control:

1. The 2nd Amendment was designed to protect “the right of the people to keep and bear arms.” This applies to citizens as well as state-regulated militias.
2. Guns do not kill people. We need to focus on mental health and underlying social issues that lead to gun violence and not blame the guns.
3. Carrying a gun is the best way to protect yourself from threats.
4. Most violent crimes are committed with handguns, and yet much control legislation focuses on military style weapons.
5. People are going to find a way to get guns even if there are restrictions on them. If someone wants to incite gun violence, they will find a way.
6. Guns are a cultural staple of many communities and are used for hunting and recreation much more than violence.