



How to Break America's Logjam on Guns and Gun Violence

Philip J. Cook, Duke University

Kristin Anne Goss,

Americans are engaged in a great gun war, one that has raged for at least four decades. The war has intensified to the point where citizens cannot agree on the most basic facts. How many guns do Americans own? Does carrying firearms do more harm than good? Do firearm regulations work?

Although the answers are hotly disputed, most Americans share the goal of reducing our unconscionably high rate of gun violence. In a politically challenging environment, it makes sense to pull together what is known about guns and gun violence and look for policy approaches that could garner broad support.

Weaker Regulation and Growing Controversies

U.S. gun laws have been weakened in recent decades. Thirty years ago, most states banned private citizens from carrying concealed firearms or restricted the privilege of carrying firearms to people who could persuade a legal authority of their trustworthiness and need for a gun. But now the regulatory landscape is sharply different.

- Every U.S. state now allows citizens to carry concealed firearms, and most states impose only minimal qualifications to obtain permits; indeed, five states do not even require a permit.
- Most state legislatures have barred localities from regulating where guns can be carried, and some states such as Texas and Georgia allow guns in bars and public buildings.
- The U.S. Congress allowed the lapse of a ban on most military-style assault weapons and large-capacity gun magazines, and it voted to give gun dealers and manufacturers immunity from most lawsuits.

The deregulation of guns has been supported by widely touted – but suspect – research findings purporting to show that additional guns in citizens' hands help to reduce overall gun violence. Carrying a gun is not only prudent, in this view, but also a public service. Acting on this philosophy, half of the states have adopted “stand your ground” laws that legitimize and offer legal protection for citizens who shoot someone they perceive as threatening. The spread of such laws is remarkably at odds with lessons from the past. Even “wild West” frontier towns like Dodge City banned firearms to prevent altercations from escalating into murder.

Of course, not everyone believes that more guns in more places will ensure greater safety. Most Americans favor specific proposals to keep guns away from potentially dangerous people. In poll after poll, strong majorities of all political stripes – including gun owners – support background checks for all firearm purchases. And efforts to allow guns in sensitive locations like schools and courthouses have met with resistance. States

that are home to one-quarter of the U.S. population have enacted regulations that are stricter than federal requirements regarding the design of guns, as well as going beyond federal laws on gun transactions, possession, and use.

Promising Approaches

Can compromises be devised in such a polarized political environment? We see several promising approaches well suited to balancing different interests while advancing shared goals.

- **Promote technological solutions.** For years, gun-violence-prevention advocates have urged the development of “personalized” guns of the sort now available from the German manufacturer Armatix. Engineered to fire only when near an electronic key of the sort used to unlock vehicle doors, personalized guns cannot reduce violence by reckless or criminal owners, but the technology can cut down on misuse by curious children, suicidal household members, and thieves. So far, gun lovers oppose the sale of personalized firearms in the United States for fear that states might mandate this feature for all new purchases.
- **Improve policing.** Most gun assaults occur outside the home. Police departments have had success with programs that aim to “get the guns off the street” by discouraging youths and gang members from carrying them in public. Judges can contribute to safety by treating illicit gun carrying as a serious offense rather than a “victimless crime.” By analogy, although most drunk-driving cases do not lead to harm or death, keeping intoxicated people away from the wheel has saved many lives. Reducing illicit carrying of guns would do the same.
- **Keep guns out the hands of the dangerously mentally ill.** Guns and mental illness can make for a tragic mix, but predicting who will become violent is very difficult. Most mentally ill people do not shoot others. Yet recent mass shootings are spurring efforts to intervene in advance to get guns out of the hands of mentally ill persons without infringing on individual freedoms or stigmatizing mental illness. Federal law currently disqualifies from gun ownership those who have been involuntarily committed to a mental institution or otherwise ruled mentally incompetent by a judge. But that misses most people with mental illnesses, including the voluntarily committed. And federal disqualifications cannot be implemented effectively until all states, not just a handful, enter their mental health records into the national background check system. An alternative might be a quick-response policy, like that recently enacted in California, to remove guns temporarily from individuals who make specific threats and are deemed dangerous due to mental illness.

Toward a Society Where Guns are Respected

Laws and government regulations can influence behavior, but they become far more effective if they reflect and reinforce widespread social norms. In the American tradition, hunters and other sportsmen have developed strong norms of respect for the dangers of guns, while devising best practices for storing, handling, and discharging guns without compromising the pleasures and peace of mind many find in gun ownership. In dealing with cars, alcohol, medical procedures, and much else, Americans have evolved healthy balances between risks and benefits. Finding the same kind of balanced approach for firearms will not be easy, but Americans certainly can draw on traditions and evidence to have a reasoned consideration of the options.

Read more in Philip J. Cook and Kristin Goss, *The Gun Debate: What Everyone Needs to Know* (Oxford University Press, 2014).