

# **ENOUGH IS ENOUGH**

**A COMPREHENSIVE PLAN TO IMPROVE GUN SAFETY**



**REP. EARL BLUMENAUER**

# ENOUGH IS ENOUGH

## A COMPREHENSIVE PLAN TO IMPROVE GUN SAFETY

REP. EARL BLUMENAUER

### Contents

\_Toc439670210

Executive Summary.....	2
Introduction .....	4
Guns as a Safety Issue.....	6
“The Safe Car You Can’t Buy” .....	8
“Cancer by the Carton” .....	10
Applying Public Safety to Guns .....	12
Keeping Guns from the Most Dangerous Users .....	12
Improving the Mental Health System.....	13
Authorizing and Increasing Research.....	13
Controlling Access to the Most Dangerous Products.....	14
Increasing Product Safety.....	14
Empowering Healthcare Professionals.....	15
Effectively Regulating Sellers.....	15
Enforcing Existing Laws .....	16
Mitigating Loss of Life in Shootings .....	16
Can This Work? .....	17
The Australia Example.....	17
Conclusion .....	18
Citations.....	19

For more information please contact  
Rep. Earl Blumenauer’s office at 202-225-4811  
or visit [www.blumenauer.house.gov](http://www.blumenauer.house.gov)

## **2-Year-Old Accidentally Kills His Mom in Wal-Mart<sup>1</sup>**

by NICHOLAS K. GERANIOS, Associated Press

HAYDEN, Idaho (AP) — A 2-year-old boy accidentally shot and killed his mother after he reached into her purse at a northern Idaho Wal-Mart and her concealed gun fired, authorities said Tuesday.

Veronica J. Rutledge, 29, was shopping with her son and three other children, Kootenai County sheriff's spokesman Stu Miller said. Rutledge was from Blackfoot in southeastern Idaho, and her family had come to the area to visit relatives.

She had a concealed weapons permit. Miller said the young boy was left in a shopping cart, reached into his mother's purse and grabbed a small-caliber handgun, which discharged one time.

Deputies who responded to the Wal-Mart found Rutledge dead, the sheriff's office said.

...

## Executive Summary

Gun violence in the United States is not inevitable, nor should Americans accept it as the status quo. Congress, the Administration, state and local governments, and the American people need to address this issue for what it is: a crisis that threatens the well-being and peace of mind of urban and rural communities across the country. While there is no one magic solution to the challenges associated with gun violence, insight can be gained from other challenges that the United States has faced and overcome.

Examining problems through the lens of public safety considers the societal level rather than just the individual, helping to identify incremental solutions that make Americans healthier and safer through changes in behaviors and attitudes. This approach was used to address both automobile safety and tobacco use, two challenges where the government responded in ways that dramatically reduced fatalities. In both cases, success came from defining the problem, identifying risk factors, testing prevention strategies, and ensuring widespread adoption of effective solutions.

This report considers examples of automobile safety and tobacco use. It then examines a deliberate process to protect people by reducing gun-related deaths and injuries through the steps outlined below:

**Keeping Guns from the Most Dangerous Users:** The “private sale loophole” should be closed – no private sales should be conducted without background checks. Comprehensive and uniform background checks will help ensure that only law-abiding, responsible owners have access to guns. More restrictions should be in place to prevent individuals with a pattern of violent or abusive behavior from gun ownership, and law enforcement should have tools and the proper resources to follow up with individuals who fail background checks. Individuals placed on a terrorist watch list should not be able to legally purchase guns.

**Improving the Mental Health System:** We have failed to create a system where people who are mentally ill can receive the treatment they need. Over 60% of all gun-related deaths are suicides, and mental illness is a significant risk factor for suicide. Many deaths could be prevented if we developed a mental health system that is more accessible and available.

**Authorizing and Increasing Research:** Simply improving the ability of researchers and the federal government to study and share information about gun violence would allow us to fully understand the impact and implications of current policies. New approaches to reduce gun violence should be evidence-based; research that can be used to promote policies is the first step to achieving this goal.

**Controlling Access to the Most Dangerous Products:** Certain types of guns are not safe in any public space. Common sense restrictions on the most dangerous weapons can reduce the carnage that results from their use.

**Increasing Product Safety:** Firearms are specifically excluded from regulation under the U.S. Consumer Product Safety Act. As inherently dangerous products, guns should be tested and regulated to ensure consistency and safety for the consumer. Products intended to keep children safe from guns and to prevent accidents are available, and their use should be required. Gun owners should purchase liability insurance to encourage safe storage and handling practices.

**Empowering Healthcare Professionals:** Doctors are under increasing scrutiny and some may face disciplinary action for discussing guns with patients. Doctors should not only be able to discuss all matters that affect their patient's health - they should be encouraged to do so.

**Effectively Regulating Sellers:** A small number of gun dealers provide a disproportionately large number of weapons to criminals. Congress should empower the Bureau of Alcohol, Tobacco, Firearms and Explosives to take steps to ensure dealers are complying with federal law.

**Enforcing Existing Laws:** Enforcing existing laws is a struggle with the gun lobby actively working to subvert good policies by attacking budgets and undermining their effectiveness. While enacting new policies will be necessary to create safer communities, enforcing existing laws is an important part of the solution.

**Mitigating Loss of Life in Shootings:** First responders such as police and fire departments, ambulances, and emergency rooms must be able to respond when tragedy strikes. Schools and public facilities personnel should receive appropriate training to deal with active-shooter situations. These are necessary components to lowering fatalities when gun violence occurs.

## Introduction

I understand the complicated American relationship with guns. I grew up with guns. Some of my earliest memories are of pistols owned by my father and kept at home. Like many children, I knew where they were and played with them. I can still vividly remember my ears ringing from an incident when a bullet discharged in our concrete basement. I couldn't hear for a day, but luckily neither I nor any of my friends were injured. Sometimes after working in my uncle's hardware store, I'd go out target shooting with a family friend. Like most Oregonians, I've always accepted target shooting and hunting as part of our way of life.

Yet my relatively sheltered existence was marred by gun violence. In high school, I was friends with a family whose eldest son, the senior class president and an all-around terrific person, was killed. As he was driving home from work late one night, a passing car randomly fired a single shot at him and ended his life. I don't think anybody set out to murder Bob. It was a freak occurrence, not unlike the other thousands upon thousands of accidents and malicious acts with unintended consequences that result in death. I felt the heartache personally and watched the anguish felt by his family. Nobody fully recovered from losing this vibrant young man who had a glorious future ahead of him.

Years later, tragedy struck my own family. My brother, who had suffered from depression, disappeared. He had dropped out of sight before, but this time was different because he didn't come back. Several years later his body, a bottle of alcohol, and a gun were found in a deserted spot in the Mount Hood Forest where he had taken his own life. This loss caused a lot of doubt, regret, and soul searching in my family. My mother never fully recovered from the devastation of his death.

Alcohol and depression, probably in combination with some drug use, resulted in this bright young man choosing to end his life. It was incredibly painful, and tragically not very unusual. Suicide is the third leading cause of death for people between the ages of 10 and 35, and it most often involves a firearm.<sup>2</sup>

The June 2014 shooting at Reynolds High School in Troutdale, Oregon was another example of gun violence that happened much too close to home. It's heartbreaking that we lost an innocent high school freshman. The 15 year-old shooter, who also died, had access to a veritable arsenal. He had several weapons with him and the potential to kill dozens of his classmates in a shooting rampage.

It was a wrenching experience for me to stand on the floor of the U.S. House of Representatives, asking for the obligatory moment of silence to honor the victims of the Reynolds High School shooting, their families, and the community. Especially since it occurred less than two years after I was in a similar situation when there was a shooting at the Clackamas Town Center in the midst of the holiday shopping season. Two people were killed and a third was shot, but there could have been many more casualties.

The October 2015 shooting at Umpqua Community College in Roseburg, Oregon was another of the latest in a series of tragedies our community has experienced because of gun violence. The loss of eight young college students and a professor was painful, and left me sickened by the needless loss of life.

The recent attack in Las Vegas on Sunday, October 1, 2017, fell on the two-year anniversary of the Roseburg shooting. This happens so often in our country; more shared anniversaries are likely to come.

These events brought me back to 1998, when I was with President Clinton visiting Thurston High School in Springfield, Oregon in the aftermath of another shooter's rampage. His parents and two students were killed and 25 wounded. It pains me to say we were lucky the death toll was not much, much higher.

One frequent suggestion from the gun lobby is decidedly not a solution: having even more guns in our homes, schools, courthouses, churches, and anywhere we work or play. More people with little or no training would be encouraged to open fire in the heat of the moment. In August 2012, nine bystanders outside the Empire State Building in Manhattan were injured in the midst of police firing on a gunman. Even highly trained, well-equipped police officers make mistakes. Think about the Aurora, Colorado shooting in July 2012 with a deranged shooter in a darkened theater; what could have been the result of several untrained people opening fire in a crowded environment?

In fact, recent research suggests that more gun ownership makes us less safe.<sup>3</sup> This study of incidents of gun violence from 1979 through 2010 indicates that more conceal and carry permits are correlated with an 8% or more increase in violent acts with guns. Another study found that the 116 million people living in 15 states with the highest prevalence of guns were 3.8 times more likely to kill themselves with firearms than were the 119 million people living in six states with the lowest prevalence of guns – with no difference in their non-firearm suicide rates.<sup>4</sup>

If not more guns, what is the solution?

Congress needs to address this issue for what it is: an epidemic that threatens the well-being of all of our communities. There is no one magic solution to the challenge of gun violence, but we can draw inspiration from other challenges we have faced before as a country, and begin to make incremental progress toward a better, safer world.

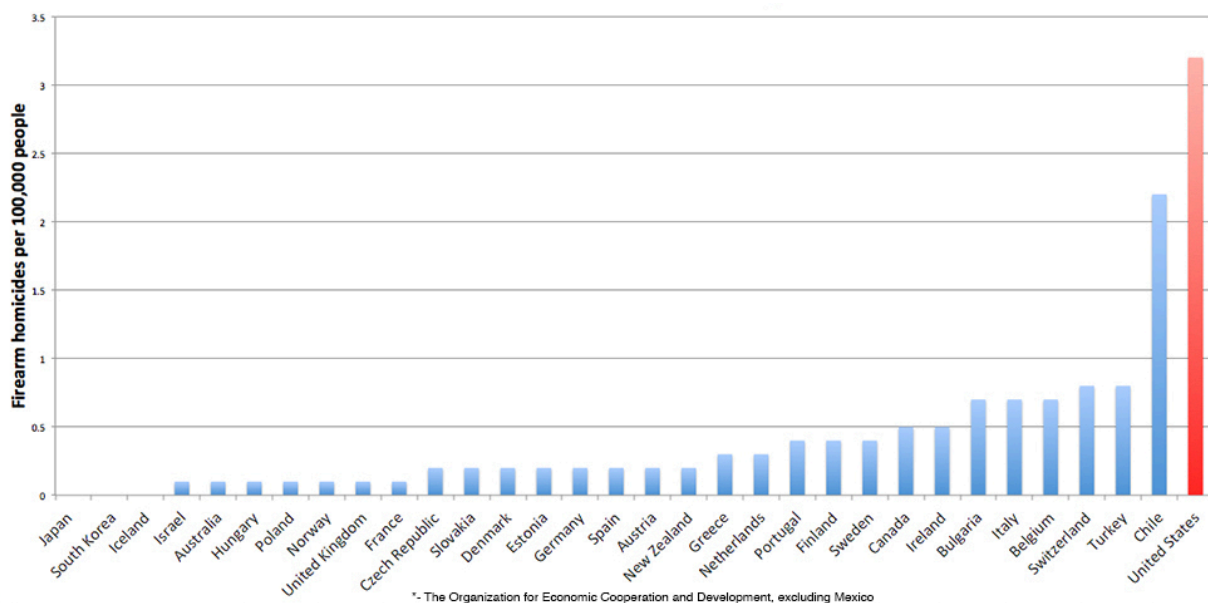
## Guns as a Safety Issue

In the last century, America experienced rapid transformation from a rural and agrarian society to an urban and technological one. With that change, the shift from gun as tool to gun as hobby or weapon became more pronounced. Gun technology has advanced considerably, from the muskets of our Founding Fathers to handguns and semi-automatic weapons. Even though levels of violence have decreased since their peak several decades ago, gun violence is still one of the leading causes of death in the United States.

The stark fact is that Americans suffer more gun violence than any other developed country.

- In an average day in America, there are 30 firearm homicides.<sup>5</sup>
- On average, there are more than 58 firearm suicides each day, and firearm suicide attempts are lethal 85% of the time – more lethal than other attempted suicide means.<sup>6,7</sup>
- In 2014 – the most recent year available for statistics – there were 33,594 deaths due to injury by firearm. These include 11,008 homicides, 21,386 suicides, and 461 accidental deaths.<sup>8</sup>
- In 2014, firearm deaths exceeded motor vehicle deaths in 21 states, plus the District of Columbia.<sup>9</sup>

### Gun-Related Murder Rates in the Developed World\*



Source: *Washington Post*<sup>10</sup>

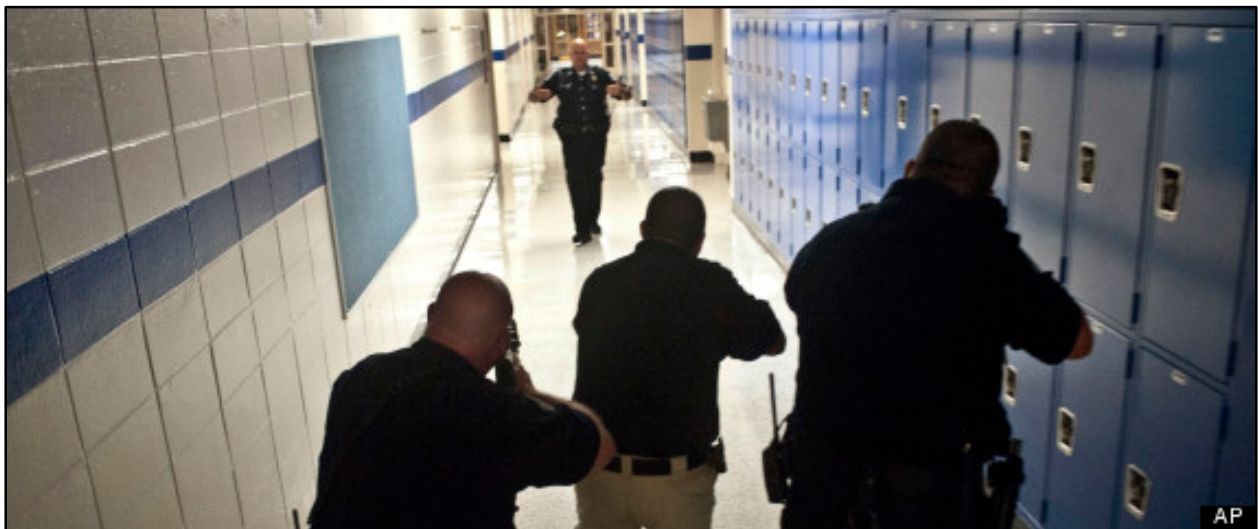


## Impact on Women

Gun violence is a particular threat to women. States with higher numbers of gun ownership also have a consistently higher firearm homicide rate for women. Even when domestic violence isn't a factor, when there is a gun in the household, women are more than three times more likely to be murdered. A domestic violence victim whose household has a gun is five times more likely to be murdered by an intimate partner.<sup>11</sup> As a result, American women are 11 times more likely to be murdered by a gun than women in other developed, high-income countries.<sup>12</sup>

## School Shootings

Since the elementary school shooting at Sandy Hook in December 2012, Everytown for Gun Safety documented over 250 incidents in a four-year period where a firearm was discharged inside a school building or on school or campus grounds, including assaults, homicides, suicides, and accidental shootings.<sup>13</sup> In 2001, the National Education Association began offering \$150,000 of life insurance for unlawful homicide while on the job.<sup>14</sup> In addition to regular fire drills, many schools hold “active shooter drills” for students and faculty.



Source: AP Photo/The Advocate-Messenger, Clay Jackson

## Successes in Improving Safety

A constructive approach must be based on treating gun violence as a safety issue, and we should respond accordingly. Americans have had great success in responding to other health and safety challenges we have faced in the past in this way, especially with automobiles and tobacco.

## “The Safe Car You Can’t Buy”<sup>15</sup>

Analyzing the progress we have made in reducing auto deaths and injuries is very instructive. In the past century, there is nothing we obsessed over or spent more time and money on than our cars. Collectively, Americans drive more than 2.9 trillion miles each year, which leads to many traffic accidents. For decades as roadside carnage grew, it was largely accepted as a necessary evil. Eventually, we approached the situation as a public health concern and began incremental improvements to make driving safer.

The American automotive industry and government at the national, state, and local levels have made great strides in improving vehicle safety, making progress through series of small steps. The introduction of seat belts, hydraulic brakes, and airbags had tremendous effects on a vehicle’s protection and security.



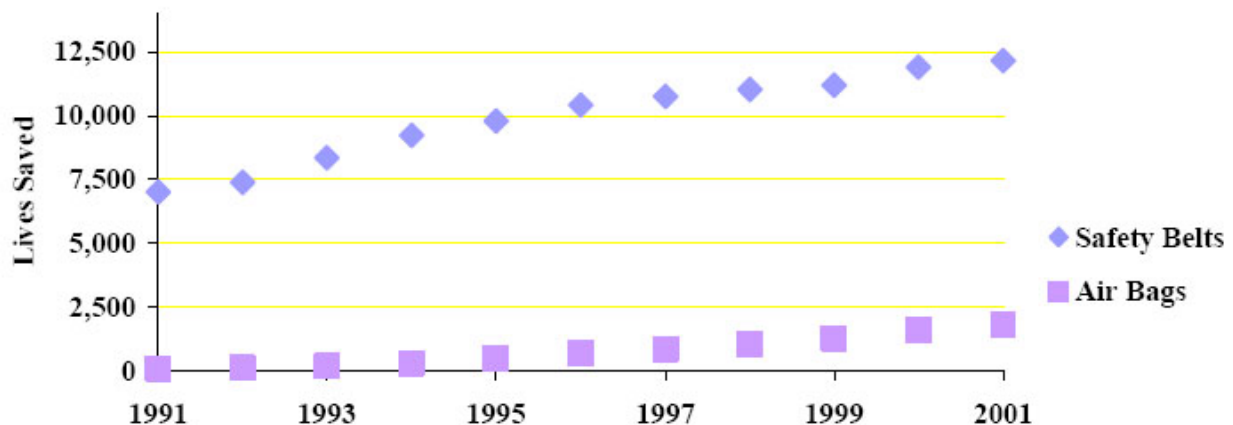
Source: National Archives<sup>16</sup>

While many safety improvements had been invented by the 1930s, very few were actually implemented. In the 1950s, universities concerned with car safety conducted their own crash tests. Those findings helped spur a market response that led to safety features available as options on new cars and generated government interest in new safety policies.<sup>17</sup>

In 1965, a young consumer protection lawyer named Ralph Nader published *Unsafe at Any Speed*. His book highlighted not just the many dangerous design flaws plaguing cars of the day, but prompted a wholesale reappraisal of automotive engineering. The public, politicians, and the media took notice.<sup>18</sup> The subsequent improvements in vehicle safety would save an extraordinary amount of lives, but implementation took considerable time and education.

Modern seatbelts reduce a person's chances of dying in a crash by 45% and reduce chances of injury by 50%.<sup>19</sup> Even though they would prevent millions of avoidable fatalities, auto manufacturers initially fought against mandatory seatbelt laws until they were finally enacted by Congress in 1984. The installation of seatbelts in cars did little good initially - in the early 1980s, only 11% of Americans reported wearing their seatbelts. Current usage rates are estimated to be around 80% – progress that was achieved by passing laws and by raising awareness through education campaigns. Most Americans feel this progress was achieved without a dramatic infringement on private liberty.

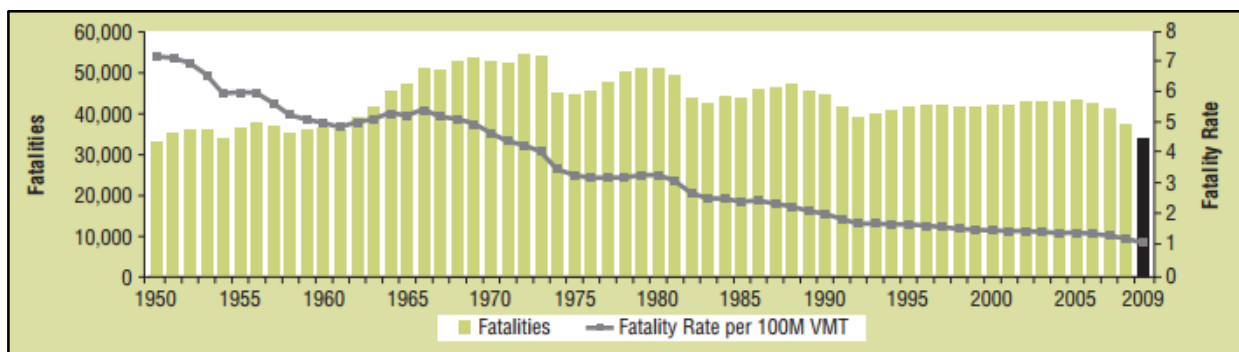
### Lives Saved by Safety Belts and Air Bags



Source: NHTSA<sup>20</sup>

Safety precautions were supported by experts, citizen advocates, and policymakers based on scientific evidence, engineering, and common sense. They were not initially broadly accepted by lawmakers or the public. Even when policies were established and laws were passed, public acceptance lagged on everything from seatbelts to drunk driving. Engaging the public in understanding the technological improvements, the value of any increases in cost, and the importance of safer behaviors took time and effort, but it was worth it.<sup>21</sup>

### Fatalities and Fatality Rate by 100 Million Vehicle Miles Travelled by Year



Source: NHTSA<sup>22</sup>

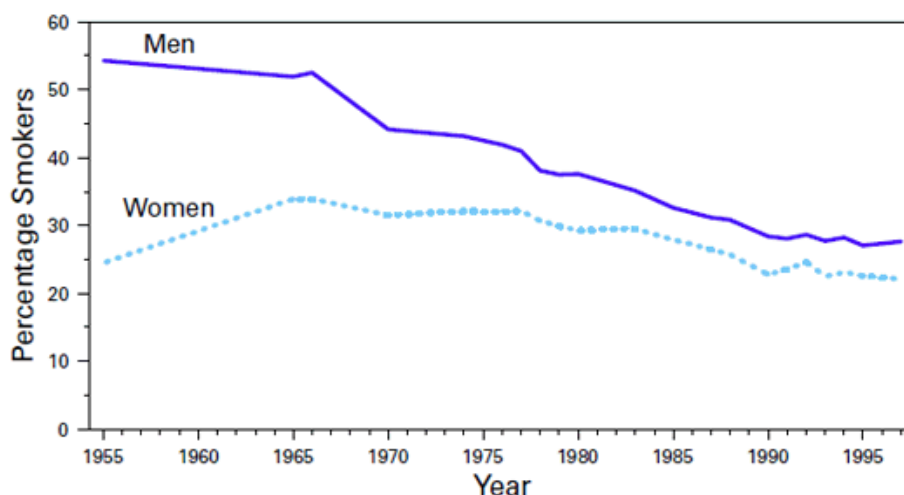
In 1960, the first year for which we have data, safety technologies saved 115 lives in car accidents. Since then, as technologies and behaviors have improved, benefits multiplied, saving the lives of an estimated 328,000 Americans between 1960 and 2002 – more than the population of St. Louis.<sup>23</sup> The level of safety we have now would be unrecognizable to an observer from the 1950s. This ranks as one of the greatest public safety achievements in the history of America or any nation.

### “Cancer by the Carton”<sup>24</sup>

Prior to the 1900s, cigarette smoking was relatively infrequent and lung cancer was a rare disease. Then the federal government began subsidizing the tobacco industry – a practice that continued for more than 60 years. Mass production and relentless marketing by tobacco companies caused the use of tobacco to skyrocket. During World War II, the industry persuaded the military to supply soldiers with their highly addictive products.

By mid-century, half of American men and a quarter of American women used tobacco. Cigarette consumption rose from 54 cigarettes per adult per year in 1900 to 4,345 cigarettes per adult per year in 1963.<sup>25</sup> As a result, lung cancer rates increased dramatically and the disease became common among adults.

**Trends in Cigarette Smoking Among Persons Aged ≥18 Years,  
By Sex – United States, 1955-1997**



Source: CDC<sup>26</sup>

It wasn't until the 1950s that researchers seriously began studying the link between cigarette smoking and lung cancer. In 1964 a breakthrough was reached when Surgeon General Luther L. Terry released the first report of the Surgeon General's Advisory Committee on Smoking and Health. This landmark report concluded that cigarette smoking was a cause of lung cancer and was the most important cause of chronic bronchitis. These findings shocked

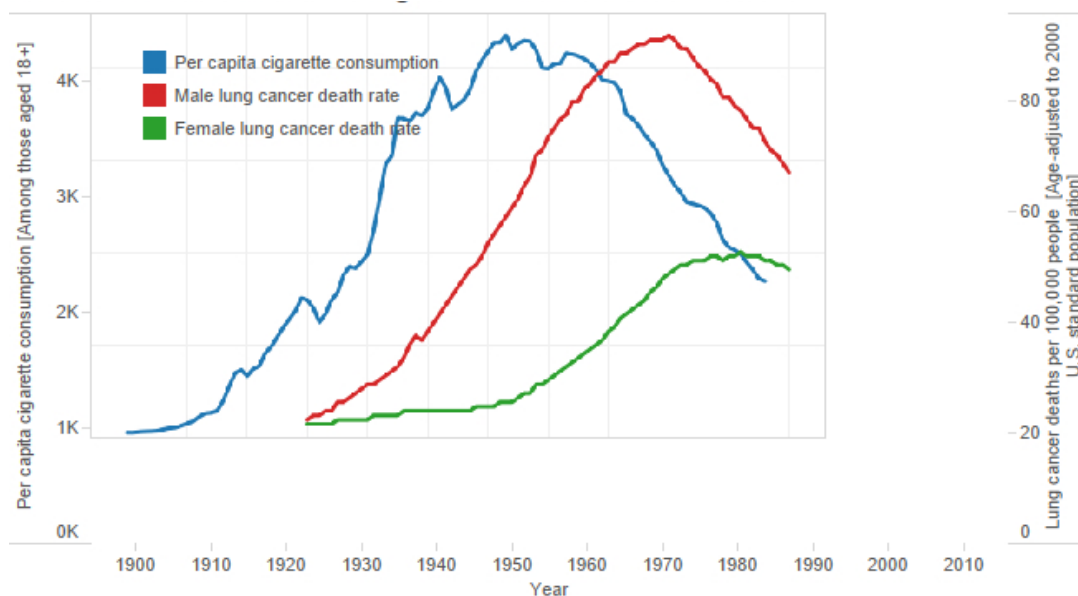
Congress into taking action and a robust anti-smoking campaign was launched to educate Americans about the dangers of tobacco.

After the release of the Report, many states began increasing cigarette excise taxes to effectively reduce tobacco consumption.<sup>27</sup> In 1983, the federal cigarette tax was doubled, and these taxes have been increasing ever since – a huge step towards discouraging the use of tobacco, especially for young people.

Since Congress began efforts to curb tobacco use in the early 1960s, the smoking rate among adults has dropped from its peak at 42.4% in 1965, when the government first started collecting data, to 15.2% in 2015.<sup>28,29</sup> Experts attribute this huge reduction in smoking to public policies like cigarette taxes, smoke-free air laws, and anti-smoking media campaigns.

The decline in tobacco consumption eventually lead to a huge decrease in the health hazards associated with smoking, particularly lung cancer deaths. According to the American Cancer Association, lung cancer death rates in men have declined about 34% from its peak in 1990, and the death rate among women is now 9% less than it was at its peak in 2002.<sup>30</sup>

### **Trends in Tobacco Use and Lung Cancer Death Rates in the U.S.**



*Source: American Cancer Society<sup>31</sup>*

While we continue to fight to reduce tobacco use and its negative effects, there is no denying that this has been one of the most successful health initiatives in our nation's history. A study published in the Journal of the American Medical Association found that tobacco control prevented 8 million premature smoking-related deaths, the equivalent of the population of New York City, resulting in 157 million years of life saved between all of the beneficiaries.<sup>32</sup>

## Applying Public Safety to Guns

The United States has made incredible progress towards reducing automobile-related injuries and death and lowering the rates of tobacco usage. By careful and thoughtful regulation of these two industries, we have seen tangible evidence of millions of lives saved. Furthermore, the benefits that we are seeing from these successes are just beginning. As fewer and fewer young people start smoking, and as cars get even safer, the health benefits continue to expand and goals become more ambitious. For example, the Vision Zero Initiative which started in Sweden aims to eliminate traffic-related fatalities entirely.

The success behind regulating the tobacco and automobile industry came from defining a problem, identifying risk factors, testing prevention strategies, and ensuring widespread adoption of effective solutions. We can apply these safety principles and models to gun violence. Through this deliberate and incremental process, we can make progress in reducing gun violence.

There are several steps that we can begin to take immediately to reduce the epidemic, and are several areas with significant public consensus:

- Keeping Guns from the Most Dangerous Users
- Improving the Mental Health System
- Authorizing and Increasing Research
- Controlling Access to the Most Dangerous Products
- Increasing Product Safety
- Empowering Healthcare Professionals
- Effectively Regulating Sellers
- Enforcing Existing Laws
- Mitigating Loss of Life

### Keeping Guns from the Most Dangerous Users

A study published in the Journal of the American Medical Association found that handgun purchasers with at least one prior misdemeanor conviction were more than seven times as likely as those with no prior criminal history to be charged with a new offense after a handgun purchase.<sup>33</sup>

However, simply identifying the most dangerous users does not prevent these individuals from purchasing guns unless comprehensive background check requirements exist. State background check laws are an inconsistent patchwork. Federal laws require licensed firearm dealers to perform background checks on purchasers and maintain records of gun sales, but do not require background checks or record maintenance of private sales (oftentimes referred to as the “private sale loophole”). When private sellers conduct transactions, people known to



be dangerous or seriously mentally ill can purchase guns. Consequently, the private market is the leading source of guns used in violent crime.<sup>34</sup> Congress can correct this by requiring comprehensive background checks for all firearm purchases, regardless of type of sale.

Closing the loophole would not affect access to guns for law-abiding, responsible owners, but it would make it significantly more difficult for dangerous individuals to acquire weapons.<sup>35</sup> Over 90% of the American public, including 84% of gun owners and 74% of NRA members, support laws closing the “gun show loophole” and requiring background checks on all firearm transactions.<sup>36</sup>

In addition, strengthening the background check system is critical to its success. In 2013, the Department of Justice announced plans and grants to help states improve data sharing with the National Instant Criminal Background Check System (NICS).<sup>37</sup> This is an important start to help strengthen NICS, but Congress needs to act to provide more resources and encourage states to fully participate. Law enforcement should also have tools and resources to follow up with individuals who repeatedly attempt to purchase guns and fail their background check.

With the ever-present threat of lone-wolf and homegrown terrorists perpetrating attacks on American soil, it is important to prevent known terror suspects from easily purchasing guns. According to the Government Accountability Office, of the individuals on the federal terrorist watch list who have tried to buy or obtain a gun, over 90% successfully passed their background checks.<sup>38</sup> There is no question that Congress needs to make the background check system stronger and better able to protect our communities.

## **Improving the Mental Health System**

Over 64% of all gun-related deaths are suicides, and mental illness is a significant risk factor for suicide.<sup>39</sup> We have failed to create a system where people who are mentally ill can receive the treatment they need. Many deaths could be prevented if we developed a comprehensive system that is more accessible and available.

Federal law prevents people with certain types of serious mental illness from purchasing or possessing guns, but many individuals fall through the cracks because states are not required to provide mental health records for the federal database.<sup>40</sup> The federal government should encourage states to provide mental health records to NICS through block grants or Medicaid mental health dollars. By accepting federal money, states would be able to fund mental health initiatives and expand access and treatment availability.

## **Authorizing and Increasing Research**

The Surgeon General's report on tobacco was a major catalyst for the efforts to reduce tobacco use. Ralph Nader's research captured headlines and focused public attention on automobile safety. Similarly, we need more research on the health effects of guns. We can

start by improving the ability for researchers and the federal government to study and share information about guns. Congress continues to prohibit agencies from “using funds to advocate or promote firearm control,” which too often is interpreted as a ban on gun research<sup>41</sup>

Congress needs to end the prohibition on agencies using funds to better understand and discuss gun safety. Additionally, Congress should authorize money to the Centers for Disease Control (CDC) and the National Institutes of Health (NIH) for the specific purpose of conducting research on firearms. With that data, we can develop appropriate, effective, and evidence-based laws and policies that the public understands and supports.

## **Controlling Access to the Most Dangerous Products**

There is a tremendous amount of availability and variability in gun designs and features. Some are best used as tools or for sport – specifically designed for hunting or target shooting. Other guns have additional features such as pistol grips, barrel shrouds, and magazines that are detachable or attach outside the pistol grip. These features can allow a shooter to fire a weapon a large number of rounds at an extremely rapid pace without reloading. Commonly referred to as assault weapons, they are designed to be highly deadly.

An analysis of mass shootings between January 2009 and July 2014 found that shootings where assault weapons or high-capacity magazines were involved resulted in 63% more deaths and 156% more people shot per incident.<sup>42</sup> Congress should renew its federal ban on assault weapons, and extend this ban to include some of the most dangerous products such as high-capacity magazines and armor-piercing bullets. Restrictions on assault weapon availability and magazine capacity can be a small but important step in addressing the lethality of mass shootings.

## **Increasing Product Safety**

Just as increasing safety standards in automobiles reduced fatalities, improving safety features on guns has the potential to reduce injury and death from both accidental and violent incidents. Almost every household item today is tested for safety and quality – why exclude gun owners from these same consumer protections? Guns should be tested to ensure they do not accidentally fire when dropped, fire only when the trigger is pulled, and that they operate in a manner that is consistent and safe for the user.

There are a host of products intended to keep guns safe from children and prevent accidental use. Gun locks, safes, and personalized guns that only fire when they recognize the shooter should be encouraged. Every year people are killed because a gun wasn’t stored properly and fell into the wrong hands. These deaths are preventable. The federal government should require people to practice safe storage and usage of guns, and promote responsible gun ownership. Similarly, gun owners should carry liability insurance that is designed to not only



help victims but to encourage safe practices and protect potential victims from becoming actual victims.

Congress should amend the U.S. Consumer Product Safety Act to include the regulation of firearms to give responsible owners confidence knowing that their guns are held to high-quality manufacturing standards. Manufacturers should be encouraged to develop new and innovative technologies, such as the ability for owners to “personalize” their weapon, rendering a gun inoperable for unauthorized users, and to make guns safer and harder to unintentionally discharge.

## **Empowering Healthcare Professionals**

Our doctors and nurses should be part of the efforts to increase gun safety. Just as your physician would encourage you to stop smoking, or to put your child in a car seat, they should be able to ask questions and give advice about guns. People know and trust their doctors; when doctors encourage safe gun practices, people listen. One study found that 64% of individuals who received verbal firearm storage safety counseling from their doctors made changes to their firearm storage practices.<sup>43</sup>

Despite (or because of) their impact, doctors who ask their patients about guns are under intense scrutiny. A 2011 NRA-backed Florida law subjected doctors to disciplinary action if they even asked patients if they owned guns. Missouri and Montana also passed laws that interfere with doctors discussing gun ownership with their patients. The NRA also backed a provision in the Affordable Care Act which prohibits insurers and employers from asking about gun ownership and prohibits the Department of Health and Human Services from collecting data on gun ownership.<sup>4445</sup>

Congress and state legislatures should respect physician autonomy, and not forbid medical professionals from confidentially counseling their patients. Patients can receive health advice on numerous issues not directly related to their immediate physical health – guns should not be left out of those discussions.

## **Effectively Regulating Sellers**

Just as we should be better equipped to identify the most dangerous users, we should better regulate gun dealers. There is a disturbing pattern of a small number of gun dealers providing a disproportionately large number of guns to criminals. Research has found that a single store’s practices can have a significant impact on the supply of new guns to criminals. For example, in Milwaukee, Wisconsin between 1996 and 1999, a single gun store sold two-thirds of the guns recovered in crimes in the city within a year of retail sale.<sup>46</sup>

While federal law requires firearm dealers to obtain a license to sell guns, the oversight of these dealers is minimal. The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is

prohibited from performing more than one unannounced inspection of a dealer per year. Penalties for license violations are not only low; the ATF is historically underfunded and understaffed. In order to remedy these issues and ensure that dealers are complying with all federal laws, Congress should provide adequate funding and allow more unannounced inspections to crack down on the few unscrupulous gun dealers.

## **Enforcing Existing Laws**

A common and disingenuous argument made by gun apologists is that we ought to enforce the laws we have, not to enact new ones. However, the same forces that make this argument are at work behind the scenes (and sometimes openly) in Congress to make it hard to enforce the laws. They work to hamstring the ATF, attack the budget, and restrict the retention of records. They even have fought efforts to keep guns out of the hands of suspected terrorists.

Enforcing our existing laws should not be such a battle. While we do need to enact other policies to make our communities safer from gun violence, enforcing our existing laws is an important piece of the puzzle. To that end, Congress needs to support the agencies and programs that accomplish this through adequate funding and providing the necessary resources for their missions.

## **Mitigating Loss of Life in Shootings**

We can't prevent every shooting, but we must minimize damage when they occur. We must train, equip, and empower first responders such as police and fire departments, ambulances and emergency rooms to respond to the violence, treat the injured, and address resulting trauma from these events.

During the shooting in June 2014 at Reynolds High School, having a school evacuation and safety plan in place led to staff quickly alerting the authorities, and led to fewer students injured that day. Community first responders had prepared for an active shooter situation, and following that notification from the school, were able to mobilize efficiently and effectively to evacuate students and staff, sweep the school, and secure the area. Staff were trained and equipped to avoid panic which led to an orderly response. Had the situation deteriorated into more violence, this preparedness would have saved many lives. The federal government needs to support training for first responders, schools, and other public institutions by providing the necessary money and resources.

## Can This Work?

While we have seen the public safety model work for other challenges we have faced, there may be some skepticism that it can work in reducing gun violence. There are examples, however, home and abroad, showing that incremental steps can be effective. Perhaps the most inspiring comes from the other side of the globe.

### The Australia Example

In 1996, there was a mass shooting at the Port Arthur historic site in Tasmania, a popular Australian tourist destination. It was the largest shooting massacre in Australia – 35 people were killed and 18 people were injured.<sup>47</sup> Unlike the many similar tragedies that have ignited public shock and outrage in the United States, the incident in Australia was a turning point that brought about action and change.



*Source: Getty Images*

The reaction by the government in Australia was decisive. Within months, semiautomatic and automatic rifles and shotguns were banned outright nationwide. A mandatory buy-back program for newly banned weapons was established, funded by the Australian federal government but implemented by each of the states. Universal background checks were established, as were requirements for permits and a 28-day waiting period for every gun purchase. Restrictions on the amount of ammunition that can be purchased at any one time were put in place. Every potential owner must show a “genuine reason” to own, possess, or use a firearm, and then must follow uniform standards for security and storage.<sup>48</sup>

Polls found that as much as 90% of the public approved of stricter gun laws at the time.<sup>49</sup> The buyback removed more than 640,000 guns from circulation. An additional 60,000 non-prohibited guns were surrendered without compensation.

According to one study, in the decade following the 1996 law, the firearm homicide rate fell by 59% and firearm suicide rates fell by 65%, and simultaneously experienced overall reduced rates of non-firearm homicides and suicides.<sup>50</sup> Australian states with faster buybacks saw a larger drop in their suicide rates than states with slower buybacks.

As of 2014, the firearm death rate (which includes accidents, homicides, and suicides) in Australia was 0.93 per 100,000 while in the United States it was 10.54 per 100,000.<sup>51,52</sup>

Solutions in the United States will not look like those in Australia, but the Australian experience shows that it is possible to reduce gun violence significantly while still allowing hobby and sport shooting for responsible owners. We must chart our own path forward, but we cannot be afraid to take the first step.

## Conclusion

There is, to be sure, no single solution to gun violence just as there was no single solution to reducing deaths and injuries related to car and tobacco use. We made tremendous progress on those fronts because we exposed the facts, experimented with solutions, informed and educated the public, and passed meaningful government regulations. Most importantly, we didn't accept the loss of life as just an everyday inevitability. Why should we do any less with the gun violence epidemic?

It is true that real progress in reducing gun violence means overcoming powerful special interests that make a living and gain political advantage by playing to the very basest of instincts, inciting our worst fears, and distorting the issue and facts to obstruct any meaningful dialog, let alone reform.

But, make no mistake, dealing with tobacco and car safety was not smooth sailing, and reform was extraordinarily controversial to some at the time. Big tobacco and the auto industry fought back with furious lobbying, misleading advertising, and massive campaign contributions. They also fought back with their own junk science, which took years to first disprove and then reveal that they were deliberately lying.

It's time to stop the moments of silence, time to end this awful status quo. Americans experience the tragedy of gun violence every day, unlike anywhere else in the developed world. This is not a sign of American exceptionalism. It is a call for American action.

## Citations

---

- <sup>1</sup> <https://usat.ly/2hyhxiw>
- <sup>2</sup> <https://www.cdc.gov/nchs/fastats/suicide.htm>
- <sup>3</sup> [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2443681](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2443681)
- <sup>4</sup> <http://www.ncbi.nlm.nih.gov/pubmed/17426563>
- <sup>5</sup> <https://www.cdc.gov/nchs/fastats/homicide.htm>
- <sup>6</sup> <https://www.cdc.gov/nchs/fastats/suicide.htm>
- <sup>7</sup> <http://www.hsph.harvard.edu/means-matter/means-matter/risk/>
- <sup>8</sup> [https://www.cdc.gov/nchs/data/nvsr/nvsr65/nvsr65\\_05.pdf](https://www.cdc.gov/nchs/data/nvsr/nvsr65/nvsr65_05.pdf)
- <sup>9</sup> <http://www.vpc.org/press/gun-deaths-surpass-motor-vehicle-deaths-in-21-states-and-the-district-of-columbia/>
- <sup>10</sup> <http://wapo.st/Wco9A4>
- <sup>11</sup> <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447915/>
- <sup>12</sup> <http://www.ncbi.nlm.nih.gov/pubmed/20571454>
- <sup>13</sup> <https://everytownresearch.org/school-shootings/>
- <sup>14</sup> <http://articles.latimes.com/2001/jul/26/news/mn-26702>
- <sup>15</sup> <http://thenation.s3.amazonaws.com/pdf/safecaryoucantbuy1959.pdf>
- <sup>16</sup> <http://research.archives.gov/description/513785>
- <sup>17</sup> [http://amhistory.si.edu/onthemove/themes/story\\_86\\_1.html](http://amhistory.si.edu/onthemove/themes/story_86_1.html)
- <sup>18</sup> [http://www.roadandtrack.com/the\\_road\\_ahead/The-Road-Ahead-Road-Evolution-Of-Safety](http://www.roadandtrack.com/the_road_ahead/The-Road-Ahead-Road-Evolution-Of-Safety)
- <sup>19</sup> <https://www.preventioninstitute.org/publications/seatbelts-current-issues>
- <sup>20</sup> <http://www-nrd.nhtsa.dot.gov/pdf/esv/esv18/cd/files/18esv-000500.pdf>
- <sup>21</sup> <https://www.preventioninstitute.org/publications/seatbelts-current-issues>
- <sup>22</sup> <http://www-nrd.nhtsa.dot.gov/Pubs/811363.pdf>
- <sup>23</sup> <http://www.nhtsa.gov/cars/rules/regrev/evaluate/809833.html>
- <sup>24</sup> <http://legacy.library.ucsf.edu/tid/bwp10j00>
- <sup>25</sup> <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm4843a2.htm>
- <sup>26</sup> <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm4843a2.htm>
- <sup>27</sup> [http://tobaccocontrol.bmj.com/content/11/suppl\\_1/i62.full](http://tobaccocontrol.bmj.com/content/11/suppl_1/i62.full)
- <sup>28</sup> <http://www.lung.org/finding-cures/our-research/trend-reports/Tobacco-Trend-Report.pdf>
- <sup>29</sup> [https://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/adult\\_data/cig\\_smoking/index.htm](https://www.cdc.gov/tobacco/data_statistics/fact_sheets/adult_data/cig_smoking/index.htm)
- <sup>30</sup> <https://www.cancer.org/latest-news/the-study-that-helped-spur-the-us-stop-smoking-movement.html>

- 
- <sup>31</sup> <https://www.cancer.org/latest-news/the-study-that-helped-spur-the-us-stop-smoking-movement.html>
- <sup>32</sup> <http://jama.jamanetwork.com/article.aspx?articleid=1812962>
- <sup>33</sup> <http://jama.jamanetwork.com/article.aspx?articleid=188297>
- <sup>34</sup> <http://www.nejm.org/doi/pdf/10.1056/NEJMp1006326>
- <sup>35</sup> <http://smartgunlaws.org/universal-gun-background-checks-policy-summary/>
- <sup>36</sup> [http://www.nejm.org/doi/full/10.1056/NEJMp1300512?query=featured\\_home&&](http://www.nejm.org/doi/full/10.1056/NEJMp1300512?query=featured_home&&)
- <sup>37</sup> <http://www.justice.gov/opa/pr/justice-department-invest-20-million-firearm-background-check-system-improvements>
- <sup>38</sup> <http://www.gao.gov/products/GAO-05-127>
- <sup>39</sup> <http://dx.doi.org/10.1016/j.annepidem.2014.03.004>
- <sup>40</sup> <http://www.gpo.gov/fdsys/pkg/USCODE-2011-title18/html/USCODE-2011-title18-partI-chap44-sec922.htm>
- <sup>41</sup> <http://www.nature.com/news/under-the-gun-1.12667>
- <sup>42</sup> <http://everytown.org/documents/2014/10/analysis-of-recent-mass-shootings.pdf>
- <sup>43</sup> <http://www.ncbi.nlm.nih.gov/pubmed/12583649>
- <sup>44</sup> <http://www.gpo.gov/fdsys/pkg/PLAW-111publ148/pdf/PLAW-111publ148.pdf>
- <sup>45</sup> <https://www.law.cornell.edu/uscode/text/42/300gg-17>
- <sup>46</sup> <http://www.ncbi.nlm.nih.gov/pubmed/16937085>
- <sup>47</sup> <http://www.loc.gov/law/help/firearms-control/australia.php>
- <sup>48</sup> <http://www.loc.gov/law/help/firearms-control/australia.php>
- <sup>49</sup> <http://injuryprevention.bmj.com/content/12/6/365.full>
- <sup>50</sup> <http://www.gunpolicy.org/firearms/region/australia>
- <sup>51</sup> <http://www.gunpolicy.org/firearms/region/australia>
- <sup>52</sup> <http://www.gunpolicy.org/firearms/region/united-states>



**FOR MORE INFORMATION**  
[www.blumenauer.house.gov](http://www.blumenauer.house.gov)

