Arizona Gun Laws 101

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# Table of Contents

**Gun Policy History in the U.S. and Arizona Timeline** ................................................................. 4

**Literature on the History of the Second Amendment** ................................................................. 11
  - The Second Amendment: A Brief History ............................................................................. 11
  - Right to Bear Arms ............................................................................................................. 13
  - What the Second Amendment Really Meant to the Founder ........................................... 16
  - Does the Second Amendment Really Protec Assault Weapons Four Courts Have Said No .... 20
  - Supreme Court Rejects Challenge to Maryland Assault Weapons Ban ...................... 23
  - Federal Judge Upholds Massachusetts Assault Weapons Ban ................................... 24
  - Overview of District of Columbia v. Heller ....................................................................... 27

**Literature on the History of the National Rifle Association** ...................................................... 29
  - A Brief History of the National Rifle Association ............................................................... 29
  - How the NRA’s True Believers Converted a Marksmanship Group into a Mighty Gun Lobby ............................................................................................................. 31
  - The NRA Placed Big Bets on the 2016 Election and Won Almost All of Them .............. 41
  - How the NRA Resurrected the Second Amendment ......................................................... 44

**United States and Arizona Firearms Laws** ................................................................................ 52
  - An Overview of Gun Laws in the United States ................................................................. 52
    - Major Federal Gun Laws .................................................................................................. 52
    - Federal Age Requirements ............................................................................................. 53
    - Federal Categories of Prohibited People ....................................................................... 53
  - Federal Gun Laws 101 ....................................................................................................... 55
  - An Overview of Gun Laws in Arizona ............................................................................. 57
    - Arizona is a Shall Issues State ....................................................................................... 57
    - Reciprocity ..................................................................................................................... 57
    - Table 1: Arizona Gun Laws Summary ........................................................................... 57
    - Mental Health Reporting ............................................................................................... 61
    - Vehicle Transportation ................................................................................................... 62
    - Preemption .................................................................................................................... 62
    - Prohibited Purchasers ................................................................................................. 63

**Research Related to Gun Violence and Gun Policy** ................................................................. 65
  - Law Center Scorecard the United States ......................................................................... 65
  - Law Center Scorecard the Arizona ................................................................................... 66
  - Key Academic Research on Violence and Gun Policy ...................................................... 67

**Gun Violence in Arizona** ............................................................................................................ 73
Gun Policy History in the U.S. and Arizona: A Timeline

- 1791 – The first 10 amendments also known as the Bill of Rights are ratified. The second amendment is commonly referenced in gun law debates it says: “A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”
- 1871 – The National Rifle Association is founded by two Civil War veterans with the intention of improving marksmanship.
- 1876 – In the *United States v. Cruikshank*, the Supreme Court says the Constitution does not guarantee every person the right to have a gun. Instead, the justices agreed the state laws could regulate gun ownership, as long as citizens could form a militia if they needed.
- 1910 – The Arizona constitution is enacted giving citizens the right to bear arms
- 1934 – The National Firearms Act (NFA) of 1934 is passed. It is the first federal gun-control law, which levies a restrictive $200 tax on the manufacture or sale of machine guns and sawed-off shotguns. All sales were to be recorded in a national registry.
- 1938 – Federal Firearms Act of 1938 is passed. It imposed a federal license requirement on gun manufacturers, importers, and any person in the business of selling firearms. In addition it required licensees to maintain records and made it illegal to transfer firearms to certain individuals such as felons. This act was eventually repealed by the Gun Control Act of 1968.
- 1939 – In *United States v Miller*, the Supreme Court unanimously rules that Congress can ban sawed-off shotguns because that weapon was of no use in a well-regulated militia, making it clear that the right to bear arms was inseparable from the role of a militia.
- 1949 – The Camden New Jersey shooting results in 13 fatalities and 3 injuries. The gunman used a semi-automatic pistol.
- 1959 – When Gallup asked if the law should ban handguns except for the police and other authorized personal, 60 percent of Americans said yes.
- 1963 – Present John F. Kennedy is assassinated.

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1 Sources Include: Safe Tennessee Project Volunteering Bootcamping Training Gun Policy 101, ATF History Timeline, Guns to Carry Arizona Gun Laws, Gifford Law Center, and AZ Central
- 1966 – The University of Texas Clock Tower shooting results in 16 fatalities and 31 injuries. The gunman used rifles, pistols, and a shotgun.
- 1966 – The Rose-Mar College shooting in Mesa, AZ resulted in 5 fatalities (4 women and a 3-year old girl). The gunman used a .22 caliber pistol.
- 1968 – Civil Rights leader Martin Luther King, Jr. is assassinated.
- 1968 – Presidential candidate Robert F. Kennedy is assassinated.
- 1968 – The Gun Control Act of 1968 is passed. It becomes the primary federal law regulating firearms. It prohibits all convicted felons, drug users, and the mentally ill from buying guns; raises the age to purchase handguns from a federally licensed dealer to 21; and expands the licensing requirements to more gun dealers and requires more detailed record keeping.
- 1975 – The Easter Sunday shooting in Hamilton, Ohio results in the death of 11 members of the gunman’s family. The gunman used multiple handguns.
- 1977 – The revolt in Cincinnati – the NRA old guard is ousted and replaced by more radical hardliners “No compromise. No gun legislation.”
- 1980 – When Gallup asked if the law should ban handguns except for the police and other authorized persons, 38 percent of Americans said yes.
- 1982 – The Wilkes-Barre shootings result in 13 fatalities, including seven children (five being the gunman’s own) and 1 injury. The gunman used an AR-15 semi-automatic rifle.
- 1982 – Senate Subcommittee on the Constitution led by Senator Orrin Hatch issues a report, “The Right to Keep and Bear Arms,” which argues that the second amendment to our Constitution was intended as an individual right of the American citizen to keep and carry arms in a peaceful manner, for the protection of himself, his family, and his freedoms.
- 1982 – The Armed Career Criminal Act made it a Federal offense for certain criminals to continue “a career of crime while armed” and established mandatory minimum sentence of 15 years for these crimes.
- 1984 – The San Ysidro McDonald’s shooting results in 21 fatalities and 19 injuries. The gunman used 9mm Browning HP semi-automatic pistol, a 9mm Uzi carbine, a Winchester 1200 12 gauge pump-action shotgun.
- 1986 – Firearm Owners’ Protection Act is passed. It limits the Bureau of Alcohol, Tobacco, and Firearms (ATF) from inspecting gun dealers more than once a year, with follow-up inspections allowed only if multiple violations are found. An amendment is also passed banning civilian ownership of machine guns.
manufactured after May 19, 1986. Weapons made and registered before that date are not affected. The law specifically forbids the government from creating a national registry of gun ownership.

- 1990 – The GMAC shootings in Jacksonville, Florida result in 10 fatalities and 6 injuries. The gunman used a revolver and a Universal M1 Carbine.
- 1991 – The Luby’s Cafeteria shooting in Killeen, Texas results in the death of 23 people and injuries 27. The gunman used both a 9mm Glock 17 pistol and a 9mm Ruger P89 pistol.
- 1991 – The Wat Promkunaram Temple shooting in Waddell, AZ resulted in 9 fatalities (6 Buddhist monks, 2 students, and a nun). The gunmen used a 20 gauge shotgun and a .22 caliber rifle.
- 1993 – The Brady Handgun Violence Prevention Act is passed. It mandates background checks of gun buyers in order to prevent sales to people prohibited under the 1968 legislation. Checks would eventually occur through a new system, the National Instant Criminal Background Check System (NICS), maintained by Federal Bureau of Investigations (FBI). But records of such checks cannot be preserved because federal law prohibits the creation of a national registry of gun ownership. Sales by unlicensed private sellers who are not “engaged in the business” of gun dealing as a business are not subject to the checks under federal law, though they are required by some states.
- 1994 – The Violent Crime Control and Law Enforcement Act (also known as the Assault Weapons Ban or AWB) is passed by Congress and signed into law by President Bill Clinton. It produces a 10-year federal ban on the manufacture of new semi-automatic assault weapons. The law specifies 19 weapons that have the features of assault rifles including the AR-15, certain versions of the AK-47, the TEC-9, the MAC-10 and the Uzi several of which had become the preferred weapon of violent drug gangs. The act also bans large capacity ammunition magazines, limiting them to 10 rounds. The law does not apply to the weapons that were already in legal possession.
- 1994 – Arizona enacted a conceal carry weapons laws for individuals with a permit.
- 1996 – Congress passes the NRA-backed Dickey Amendment which mandates that “none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention (CDC) may be used to advocate or promote gun control.” In the same spending bill, Congress earmarked $2.6 million from the CDC’s budget, the exact amount that had previously been allocated to the agency for firearms research the previous year, for traumatic brain injury related research.
● 1998 – The National Instant Criminal Background Check System (NICS) is launched by the FBI.
● 1999 – The Atlanta shooting results in 10 fatalities and 13 injuries. The gunman used multiple semi-automatic pistols and a revolver.
● 1999 - The Columbine High School shooting results in 13 fatalities and 21 injuries. The gunmen used multiple firearms, including shotguns, semi-automatic rifle, bombs, and a semi-automatic pistol.
● 2000 – NRA president Charlton Heston challenges Democratic presidential candidate Al Gore to pry Heston’s Colonial-era musket “from my cold, dead hands.”
● 2000 - Arizona enacted Shannon’s law which made the unlawful discharge of a firearm randomly into the air a felony instead of a misdemeanor.
● 2001 – Fortune Magazine names the NRA the most powerful lobbying group in Washington.
● 2003 – The Tiahrt Amendment is passed by Congress. It prohibits law enforcement from publicly releasing data showing where criminal bought their firearms. “The law effectively shields retailers from lawsuits, academic study and public scrutiny,” The Washington Post wrote in 2010. “It also keeps the spotlight off the relationship between rogue gun deals and the black market firearms.”
● 2004 – The Federal Assault Weapon Ban (AWB) expires. Repeated efforts to renew the ban fail.
● 2005 - The Protection of Lawful Commerce in Arms Act (PLCAA) is passed and signed into law by President George W. Bush. It grants gun manufacturers immunity from civil lawsuits filed over crimes committed with firearms. PLCAA killed a legal strategy being pursued by gun-law reform advocates to hold manufacturers responsible for the negative effects of their products. A similar strategy had proved effective against tobacco companies.
● 2005 – The Red Lake shootings in Minnesota result in 10 fatalities and 5 injuries. The gunman used two-semi-automatic pistols and a shotgun.
● 2007 – The Virginia Tech shooting results in 33 fatalities and 23 injuries. The gunman used semi-automatic pistols.
● 2009 – In District of Columbia v Heller, the Supreme Court concludes in a 5-4 decision that “the Second Amendment conferred an individual right to keep and bear arms.”
● 2009 – The Binghamton shootings in New York result in 14 fatalities and 4 injuries. The gunman used semi-automatic pistols.
● 2009 – The Fort Hood shooting at Fort Hood in Killeen, Texas result in 14 fatalities and injured 33. The gunman used a pistol and a .357 revolver.
● 2009 – The Geneva County shootings in Alabama result in 11 fatalities and 6 injuries. The gunman used a handgun, an SKS carbine, and a Bushmaster AR-15 style rifle.
2009 – A law was passed that allows concealed weapons to be carried in places that serve alcohol unless a sign is clearly posted that prohibits the possession of weapons on the premises.

2009 – Kaity’s law was adopted which extended the definition of a domestic offense to include situations where the victim and the defendant are or were previously in a significant romantic or sexual relationship as determined by a set of facts. Thus expanding the prohibition of firearms prohibitions for individuals convicted of domestic violence offenses.

2009 – In McDonald v Chicago, the Supreme Court finds that the right of an individual to “keep and bear arms” as protected under the Second Amendment is incorporated by the Due Process Clause of the Fourteenth Amendment against the states.

2010 – Governor Jan Brewer signs the Firearm Freedom Act. This law allows some types of ammunition and firearms that are produced in Arizona to be sold without federal regulations.

2010 – Arizona becomes a constitutional carry state. Any individual over the age of 21 may now carry a firearm concealed on his or her person in public without a license or permit. The law also eliminated the specific requirements for the content of firearms safety training course.

2010 – Arizona legislator removed local authority to limit firearm possession in certain parks and preserves.

2011 – A law passed further reduced the oversight of firearms training programs by the state and allows for applicants for concealed weapons permit to receive instruction for NRA-certified instructor who have not been approved by the Department of Public Safety.

2011 – An Arizona law required reporting to National Instant Criminal Background Check System when a formally mentally ill person’s eligibility to possess firearms is restored.

2011 – The Safeway shooting in Tucson, AZ resulted in 6 fatalities an injured 13 including Congresswoman Gabrielle Giffords. The gunman used a .9mm handgun.

2012 – The Aurora theater shooting results in 12 fatalities and 70 injuries. The gunman used multiple firearms, including a semi-automatic rifle, pistol, and shotgun.

2012 – The Sandy Hook shooting results in 27 fatalities (20 first graders and 6 adult educators and the gunman) and 2 injuries. The gunman used an AR-15.

2012 – Arizona adopted a law penalizing knowingly trafficking in weapons or explosives for financial gain in order to assist, promote, or further the interest of a criminal street gang, a criminal syndicate or racketeering enterprise.

2013 – In response to a push for gun law reform after Sandy Hook, the US Senate votes against expanding background checks to all gun sales as well as a proposal to ban some semi-automatic weapons modeled after military assault weapons.
- 2013 – The Washington Navy Yard shooting in DC results in 13 fatalities and 8 injuries. The gunman used a handgun and a tactical 12-gauge shotgun.

- 2013 – Arizona state law requires guns that required unclaimed or forfeited guns to be resold.

- 2013 – Arizona law prohibits a political subdivision from requiring or maintaining a record in any form of any identifying information of a person who owns, possesses, purchases, sells or transfers a firearm expect in the course of a law enforcement investigation.

- 2015 – The Umpquaa Community College shooting in Oregon results in 10 fatalities and 8 injuries. The gunman used semi-automatic pistols and a revolver.


- 2016 – President Obama unveils a series of Executive Actions aimed at reducing gun violence, including a provision that would clarify the language of those “engaged in the business” of selling firearms and would require more gun sellers especially those who do business online and at gun shows to be licensed and mandates that they conduct background checks on purchasers. The Executive Actions also made it mandatory for the Social Security Administration to provide information about mentally ill recipients of benefits so the information could be used in background checks, essentially prohibiting seriously mentally ill people from purchasing firearms.

- 2016 – Senator Chris Murphy, Democrat of Connecticut, launches a filibuster in the United States Senate, promising to hold the floor “for as long as I can” or until Congress acts on gun control legislation. Murphy eventually secures a commitment from senate leadership to hold a vote on two measures that he supports – one to expand background checks and another to block suspected terrorist from purchasing weapons- and ended his filibuster after 14 hours and 50 minutes, making it the tenth-longest filibuster in the U.S. Senate since 1900.

- 2016 – A week after Senator Murphy’s filibuster, House Democrats stage a sit-in on the House floor in protest of the GOP leadership’s refusal to allow a vote on gun law reform measures following the Orlando massacre.

- 2017 – President Trump signs a resolution nullifying President Obama’s Executive Action requiring the Social Security Administration to report information about seriously mentally ill people to the federal background check system.

- 2017 – The Route 91 concert shooting in Las Vegas results in 59 fatalities and 422 injuries from gunfire (another 429 were injured trying to escape). The gunman used multiple semi-automatic rifles equipped with bump stock devices that mimic fully automatic fire.
● 2017 – The Sutherland Springs church shooting results in 27 fatalities and 20 injuries. The gunman used an AR-15 style semi-automatic rifle.
● 2017 – Arizona passed a law that prohibits the use of electronic firearm tracking technology.
● 2018 – The Santa Fe High School shooting in Texas results in 10 fatalities and 14 injuries. The gunman used a shotgun and a revolver.
● 2018 – A Quinnipiac poll reveals that 97 percent of Americans support expanding background checks for all gun sales.
● 2018 – Following the Parkland shooting, Dick Sporting Goods and Walmart stop selling assault-style rifles. Both raise the minimum age for purchasing firearms and ammunition from 18 to 21. Other companies sever ties with the NRA.
● 2018 – ATF finalized a rule to include bump stocks within the definition of a machine gun, meaning that they will generally be banned as of March 26, 2019.
Literature on the History of the Second Amendment

The Second Amendment: A Brief History


A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

A reading of the debates about the Constitution and the Bill of Rights reveals the founding father’s belief that a militia was necessary and important. In the Federalist Papers, Alexander Hamilton called a well-regulated militia “the most natural defense of a free country.” The primary justification for the second amendment was to prevent the need for a standing army. Many in the 18th century believed that governments were prone to using state sponsored soldiers to oppress the people. They believed that men in charge of the standing army could order it to attack citizens. For this reason, the well-regulated militia was necessary to the security of a free state.

The Founding Fathers were not concerned with an “individual” or “personal” right to firearms. Rather, they envisioned a society where all citizens were part of a militia and all citizens in the militia were armed. However, even the Founding Fathers supported restrictions on the second amendment. For example, the 18th century laws rarely allowed African Americans to have weapons, and even rarer for African American slaves to be allowed to have them. The laws made clear that white Americans should be armed so that they could maintain control over nonwhites. But even as it pertained to whites, gun control was an integral part of early American life.

Although muskets, the primary weapon for militia services, were largely unregulated, there were very strict regulations on concealed weapons and ammunition storage. There were also mandated weapons inspections and even loyalty oaths. Between 1888 and 1960, every single law review article written on the Second Amendment rejected an individual or personal rights interpretation.

The 1934 National Firearms Act and later, the Supreme Court decision in US v Miller, which concluded that congress could ban said off shotguns because that weapon was of no use in a well-regulated militia, reinforced the consensus opinion. In 1934 during the debate on the National Firearms Act, National Rifle Association president Karl Frederick stated that he had not given any thought to whether or not the bill violated the constitution and later wrote that the right to personal firearms could not be found in the constitution.

During the hearings, he also testified:

"I have never believed in the general practice of carrying weapons. I seldom carry one. ... I do not believe in the general promiscuous toting of guns. I think it should be sharply restricted and only under licenses.”

But all that began to change in the 1970s. From 1970 to 1989, more than 77 law review articles were written supporting the individual rights interpretation. Over half of these articles were
written by attorneys employed by the NRA or other pro gun rights groups. The shift in legal opinion and aggressive pro gun rights lobbying coincided with a dramatic rise of conservative judges in federal courts.

In 2008, in the landmark DC v Heller decision, the Supreme Court concluded in a 5-4 decision written by Justice Scalia that “the second amendment conferred and individual right to keep and bear arms.” However, while the court issued the “individual right” interpretation, the expected dismantling of numerous state firearms laws across the country failed to materialize, likely due to the rest of the Heller decision that stated: “the opinion makes clear that the right is not unlimited, and should not be understood as “a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.”

Since 2008, the vast majority of gun regulations across the US, including bans on military-style assault weapons, have been upheld. In fact, in just the last two years, federal judges have upheld assault weapons bans in both Massachusetts and Maryland.
Right to Bear Arms: The Second Amendment


Modern debates about the Second Amendment have focused on whether it protects a private right of individuals to keep and bear arms, or a right that can be exercised only through militia organizations like the National Guard. This question, however, was not even raised until long after the Bill or Rights was adopted.

Many in the Founding generation believed that governments are prone to use soldiers to oppress the people. English history suggested that this risk could be controlled by permitting the government to raise armies (consisting of full-time paid troops) only when needed to fight foreign adversaries. For other purposes, such as responding to sudden invasions or other emergencies, the government could rely on a militia that consisted of ordinary civilians who supplied their own weapons and received some part-time, unpaid military training.

The onset of war does not always allow time to raise and train an army, and the Revolutionary War showed that militia forces could not be relied on for national defense. The Constitutional Convention therefore decided that the federal government should have almost unfettered authority to establish peacetime standing armies and to regulate the militia.

This massive shift of power from the states to the federal government generated one of the chief objections to the proposed Constitution. Anti-Federalists argued that the proposed Constitution would take from the states their principal means of defense against federal usurpation. The Federalists responded that fears of federal oppression were overblown, in part because the American people were armed and would be almost impossible to subdue through military force.

Implicit in the debate between Federalists and Anti-Federalists were two shared assumptions. First, that the proposed new Constitution gave the federal government almost total legal authority over the army and militia. Second, that the federal government should not have any authority at all to disarm the citizenry. They disagreed only about whether an armed populace could adequately deter federal oppression.

The Second Amendment conceded nothing to the Anti-Federalists’ desires to sharply curtail the military power of the federal government, which would have required substantial changes in the original Constitution. Yet the Amendment was easily accepted because of widespread agreement that the federal government should not have the power to infringe the right of the people to keep and bear arms, any more than it should have the power to abridge the freedom of speech or prohibit the free exercise of religion.

Much has changed since 1791. The traditional militia fell into desuetude, and state-based militia organizations were eventually incorporated into the federal military structure. The nation’s military establishment has become enormously more powerful than eighteenth century armies.
We still hear political rhetoric about federal tyranny, but most Americans do not fear the nation’s armed forces and virtually no one thinks that an armed populace could defeat those forces in battle. Furthermore, eighteenth century civilians routinely kept at home the very same weapons they would need if called to serve in the militia, while modern soldiers are equipped with weapons that differ significantly from those generally thought appropriate for civilian uses. Civilians no longer expect to use their household weapons for militia duty, although they still keep and bear arms to defend against common criminals (as well as for hunting and other forms of recreation).

The law has also changed. While states in the Founding era regulated guns—blacks were often prohibited from possessing firearms and militia weapons were frequently registered on government rolls—gun laws today are more extensive and controversial. Another important legal development was the adoption of the Fourteenth Amendment. The Second Amendment originally applied only to the federal government, leaving the states to regulate weapons as they saw fit. Although there is substantial evidence that the Privileges or Immunities Clause of the Fourteenth Amendment was meant to protect the right of individuals to keep and bear arms from infringement by the states, the Supreme Court rejected this interpretation in United States v. Cruikshank (1876).

Until recently, the judiciary treated the Second Amendment almost as a dead letter. In District of Columbia v. Heller (2008), however, the Supreme Court invalidated a federal law that forbade nearly all civilians from possessing handguns in the nation’s capital. A 5–4 majority ruled that the language and history of the Second Amendment showed that it protects a private right of individuals to have arms for their own defense, not a right of the states to maintain a militia.

The dissenters disagreed. They concluded that the Second Amendment protects a nominally individual right, though one that protects only “the right of the people of each of the several States to maintain a well-regulated militia.” They also argued that even if the Second Amendment did protect an individual right to have arms for self-defense, it should be interpreted to allow the government to ban handguns in high-crime urban areas.

Two years later, in McDonald v. City of Chicago (2010), the Court struck down a similar handgun ban at the state level, again by a 5–4 vote. Four Justices relied on judicial precedents under the Fourteenth Amendment’s Due Process Clause. Justice Thomas rejected those precedents in favor of reliance on the Privileges or Immunities Clause, but all five members of the majority concluded that the Fourteenth Amendment protects against state infringement of the same individual right that is protected from federal infringement by the Second Amendment.

Notwithstanding the lengthy opinions in Heller and McDonald, they technically ruled only that government may not ban the possession of handguns by civilians in their homes. Heller tentatively suggested a list of “presumptively lawful” regulations, including bans on the possession of firearms by felons and the mentally ill, bans on carrying firearms in “sensitive places” such as schools and government buildings, laws restricting the commercial sale of arms,
bans on the concealed carry of firearms, and bans on weapons “not typically possessed by law-abiding citizens for lawful purposes.” Many issues remain open, and the lower courts have disagreed with one another about some of them, including important questions involving restrictions on carrying weapons in public.
What the Second Amendment Really Meant to the Founders


Love it or hate it, the Second Amendment provides the constitutional framework for American gun laws. As with all things constitutional, Americans are adapting 18th-century laws to fit 21st-century lives. But in reality, the concerns of the Founding Fathers had little to do with either side’s position in the modern gun-control debate. None of the issues animating that debate — from “stand your ground” laws to assault weapons bans — entered into the Founders’ thinking. Yet because both sides in debates about the Second Amendment invoke what the Founders would have thought, it’s important to look at what they actually intended.

1. **The Founding Fathers were devoted to the militia.**

Read the debates about the Constitution and the Bill of Rights, and the militia’s importance leaps off the page. Alexander Hamilton, writing in the Federalist Papers, called a well-regulated militia “the most natural defense of a free country.” His anti-Federalist critics agreed with the need for a citizens’ militia, writing that “a well regulated militia, composed of the Yeomanry of the country, have ever been considered as the bulwark of a free people.”

Their disagreement was over how best to ensure that the militia was maintained, as well as how to divide up the roles of the national government vs. state governments. But both sides were devoted to the idea that all citizens should be part-time soldiers, because both sides believed a standing army was an existential threat to the ideas of the revolution.

2. **The amendment’s primary justification was to prevent the United States from needing a standing army.**

Preventing the United States from starting a professional army, in fact, was the single most important goal of the Second Amendment. It is hard to recapture this fear today, but during the 18th century few boogeymen were as scary as the standing army — an army made up of professional, full-time soldiers.

By the logic of the 18th century, any society with a professional army could never be truly free. The men in charge of that army could order it to attack the citizens themselves, who, unarmed and unorganized, would be unable to fight back. This was why a well-regulated militia was necessary to the security of a free state: To be secure, a society needed to be able to defend itself; to be free, it could not exist merely at the whim of a standing army and its generals. The only way to be both free and secure was for citizens to be armed, organized and ready to defend their society. The choice was a stark one: a standing army or a free nation.
3. The authors of the Bill of Rights were not concerned with an “individual” or “personal” right to bear arms.

Before the landmark 2008 Supreme Court case District of Columbia v. Heller, courts had ruled that the right of individual citizens to bear arms existed only within the context of participation in the militia. In Heller, the Supreme Court overturned that precedent, delivering gun rights advocates their biggest legal victory.

This was not, however, a return to an “original understanding” of the Second Amendment, as Justice Antonin Scalia claimed for the majority. It’s not that the Founding Fathers were against the idea of an individual right to bear arms. It just was not an issue that concerned them.

Again, the militia was all important: The men writing the Bill of Rights wanted every citizen to be in the militia, and they wanted everyone in the militia to be armed. If someone was prohibited from participating in the militia, the leaders of the Founders’ generation would not have wanted them to have access to weapons. In fact, the 18th-century regulations that required citizens to participate in the militia also prohibited blacks and Indians from participating as arms-bearing members.

4. The Founding Fathers were very concerned about who should, or should not, be armed.

These restrictions on militia membership are critically important to understand. Because despite the words of the Second Amendment, 18th-century laws did infringe on Americans’ right to bear arms.

Laws rarely allowed free blacks to have weapons. It was even rarer for African Americans living in slavery to be allowed them. In slave states, militias inspected slave quarters and confiscated weapons they found. (There were also laws against selling firearms to Native Americans, although these were more ambiguous.)

These restrictions were no mere footnote to the gun politics of 18th-century America. White Americans were armed so that they could maintain control over nonwhites. Nonwhites were disarmed so that they would not pose a threat to white control of American society.

The restrictions underscore a key point about militias: They were more effective as domestic police forces than they were on the battlefield against enemy nations; and they were most effective when they were policing the African American population.

5. Eighteenth-century Americans tolerated a certain amount of violence and instability, as long as it came from other white Americans.

During the 18th century, insurrectionary groups such as the Carolina Regulators and vigilante groups such as Pennsylvania’s Paxton Boys showed that Colonial governments could not simply issue laws and count on the people to obey them. (As did, one might add, the American Revolution.) Shay’s Rebellion in 1787 and the Whiskey Rebellion in 1791 showed that those problems would not go away with the arrival of the new republic. Including all citizens in the
militia and relying on that militia to enforce the laws meant that issues which divided the citizenry also divided the militia. When disagreements over political issues turned violent, the government would not necessarily enjoy the balance of power over citizens who, as militia members, were trained and armed.

Those events also showed a pattern that emerged during the 18th century: Americans were willing to tolerate a significant degree of instability and violence on the part of white Americans. The Paxton Boys, for instance, murdered 20 Conestoga Indians who had been living peacefully with their Pennsylvanian neighbors for some time. Though the governor issued warrants for their arrest, and Benjamin Franklin called the killers a “disgrace of their country and their colour,” no Paxton Boys were ever prosecuted.

The Whiskey Rebellion was an armed uprising against the national government. In its aftermath, only two rebels were convicted of treason, and President George Washington pardoned them both. Indians who attacked whites, and enslaved peoples who resisted, however, received no such indulgence.

Today’s Second Amendment

Anyone wishing for a return to an original meaning of the Second Amendment — where no one was a professional soldier, but everyone would be required to participate in the militia — would find themselves far from the political mainstream.

America’s standing army is now the most powerful fighting force in world history. The National Guard still exists as a citizens’ militia, but participation is a far cry from the Founders’ vision of participation by all citizens. Meanwhile, the Army and the militia have diversified in ways which no one in the 18th century could have imagined.

What remains, though, is the pattern of what Americans will and will not tolerate. In the centuries since the Bill of Rights became law, the strictest gun-control laws have been aimed — sometimes explicitly, sometimes not — at keeping African Americans from arming themselves. Americans have been eager to disarm blacks, but hesitant to disarm whites.

California’s gun-control laws, for instance, began as a reaction to the Black Panthers’ armed patrols and open carry. Yet, when self-proclaimed militiamen engaged in armed resistance to law enforcement at the Bundy ranch in 2014, there was no similar call for new gun laws, and a significant portion of the American political establishment initially expressed support for their actions.

Meanwhile, the nation continues to tolerate a level of gun violence from its citizens unparalleled in other wealthy nations. Eighteenth-century militias were unstable and unpredictable; American gun violence in the 21st century has been every bit as unstable and unpredictable and, given the improvements in weaponry, far more fatal. In three of the most recent mass shootings — the high school in Parkland, Fla., the church in Sutherland Springs, Tex., and Las Vegas — three men
killed a total of 101 people and injured hundreds more, a level of carnage that would have been impossible with the weapons available during the 18th century.

Despite these body counts, and despite the seeming inevitability of future tragedies like these, there have been no new national laws to limit citizens’ access to high-powered weapons. Some states have enacted such restrictions, but other states have moved in the opposite direction, loosening limits on citizens’ access to firearms.

The United States still seems willing to tolerate a significant degree of instability and violence on the part of white American men, the demographic group responsible for the majority of mass shootings. The United States also seems willing to tolerate daily rates of gun violence that surpass all but the worst mass shootings, in large part because most homicide victims are people of color.

Again, this level of carnage could not have been foreseen by the men who wrote the Constitution and the Bill of Rights. As Americans, though, we still live our lives and write our laws within the framework that those men left us, including the Second Amendment. At its best, the Second Amendment was a commitment to citizen participation in public life and a way to keep military power under civil control. At its worst, it was a way for whites to maintain their social domination.

In today’s America, the echoes of 18th-century racial politics still weigh down our society, while the new republic’s commitment to citizen participation is nowhere to be found.
Does the Second Amendment Really Protect Assault Weapons? Four Courts Have Said No


Almost exactly a year ago, a federal appeals court considered whether a Maryland law banning assault weapons was unconstitutional.

The law was passed in the aftermath of the Sandy Hook massacre, which left 20 first-graders and six adults dead after a man bearing an AR-15-style weapon stormed the school in Newtown, Conn.

“Nine terrified children ran from one of the classrooms when the gunman paused to reload, while two youngsters successfully hid in a restroom,” Judge Robert B. King of the U.S. Court of Appeals for the 4th Circuit wrote in the majority opinion. “Another child was the other classroom’s sole survivor. In all, the gunman fired at least 155 rounds of ammunition within five minutes, shooting each of his victims multiple times.”

The court ruled that the ban on assault weapons like the one Adam Lanza used at Sandy Hook — like the one that police say Nikolas Cruz confessed to using at Marjory Stoneman Douglas High School on Feb. 14 and that Omar Mateen used at Orlando’s Pulse Nightclub in June 2016 and Stephen Paddock used from the Mandalay Bay in Las Vegas on Oct. 1 — was constitutional.

It was not the first time a federal appeals court had ruled that a ban on assault weapons was permissible under the Second Amendment. It was the fourth time in the past decade. In fact, no federal appeals court has ever held that assault weapons are protected.

The question of assault weapons was not addressed by the Supreme Court when, in 2008, it held for the first time in District of Columbia v. Heller that the Second Amendment protects an individual right to possess a firearm. Justice Antonin Scalia, writing for the court, went out of his way to say that the right “is not unlimited.”

In each case that has reached a federal appeals court since then, bans on the semiautomatic guns known as assault weapons have been upheld, usually for the same two reasons.

Banning them, the courts have said, does not curtail the right of self-defense protected by the Constitution. There are plenty of other weapons — handguns and regular long guns — available to people to protect themselves.

At the same time, the courts have said, states and municipalities have legitimate reasons to ban AR-15-style weapons because of the dangers they pose, to schools, innocent bystanders and police.
That same argument is being made by advocates of an assault weapons ban in the wake of the killing of 17 people at Florida’s Marjory Stoneman Douglas High School.

Gun rights advocates, such as the National Rifle Association, have argued that such a ban would violate the Second Amendment.

As the NRA told the Supreme Court in 2015 as it unsuccessfully sought review of one of the four appeals court rulings: “Firearms that are commonly chosen by law-abiding citizens for lawful purposes cannot be banned. While some contours of the Second Amendment have been left to future evaluation,” it said in an amicus brief, “at least this much is clear from recent decisions by this Court.”

But that much has not been “clear” to the appeals courts that have reviewed the issue.

For the 4th Circuit judges in the Maryland case, the question came down to whether military-style weapons were necessary for self-defense and whether the government has a legitimate interest in regulating them.

King noted in the majority opinion that Maryland law enforcement officials could not identify a single case in which a Marylander had used a military-style rifle or shotgun, or needed to fire more than 10 rounds, to defend herself.

And although the gun groups had argued that assault weapons such as AR-15s were the most popular sporting rifles in the United States, the Maryland government argued that they also happened to be the most popular guns used in mass shootings.

Shooters used assault rifles in 21 percent of the massacres between 1982 and 2012, and used guns with large-capacity magazines in more than 50 percent of them, King said.

“Put simply,” King wrote, “we have no power to extend Second Amendment protection to the weapons of war that the Heller decision excluded from such coverage.”

The decision, predictably, angered gun-rights activists.

NRA spokeswoman Jennifer Baker said in a statement at the time, “It is absurd to hold that the most popular rifle in America is not a protected ‘arm’ under the Second Amendment.”

In another case (called Heller II), the Court of Appeals for the District of Columbia Circuit upheld a ban on assault weapons and large-capacity magazines in Washington. The appeals court said in an April 2011 decision that the ban did not impinge on the individual’s right of self-defense. Plus, the court said, the city had plenty of reason to believe that assault weapons were too dangerous in “self-defense situations.” With the ability to fire so many shots so rapidly, the judges said, such weapons pose “grave risks” to bystanders, not to mention police officers who might confront them on the streets.

Another appeals court considered the issue in April 2015, when the Chicago-based U.S. Court of Appeals for the 7th Circuit upheld by a 3 to 2 vote an ordinance in Highland Park, Ill., that
prohibited possession of assault weapons, which the law defined as “any semiautomatic gun that can accept a large-capacity magazine.”

In this case as well, the court said the ordinance left residents “with many self-defense options,” such as handguns. Like the D.C. court, the 7th Circuit cited the dangerousness of assault weapons. “Why else are they weapons of choice in mass shootings?” the court said.

“A ban on assault weapons and large-capacity magazines might not prevent shootings in Highland Park ... but it may reduce the carnage if a mass shooting occurs,” the court said.

Plus, the court said, “another constitutional principle is relevant”: federalism, which allows state and local governments to enact their own laws. The case is Friedman v. City of Highland Park Illinois.

Five months later, the U.S. Court of Appeals for the 2nd Circuit reached the same conclusion as it considered laws in New York and Connecticut that prohibited the possession of semiautomatic assault weapons and large capacity magazines.

It’s true, Judge Jose A. Cabranes wrote for a unanimous court, that the laws constituted an “outright” ban, “both broad and burdensome.”

However, the panel said, “semiautomatic assault weapons have been understood to pose unusual risks,” resulting in “more numerous wounds, more serious wounds, and more victims. These weapons are disproportionately used in crime, and particularly in criminal mass shootings like the attack in Newtown. They are also disproportionately used to kill law enforcement officers,” the court said.

The Supreme Court has declined to review any of these cases. A reason may be that at the moment there is no split among the appeals courts across the country, a factor that heavily influences the high court’s choice of cases. The appeals courts have all agreed that assault weapons bans are okay.
Supreme Court Rejects Challenge to Maryland Assault Weapons Ban


The Supreme Court turned away an appeal from Maryland gun owners who challenged the state's ban on assault weapons, which were used in recent mass shootings in a south Texas church and at an outdoor concert in Las Vegas.

The justices left in place a federal appeals court ruling that upheld the Maryland law that does not permit the sale of a range of semi-automatic weapons and large-capacity magazines.

In the 4th Circuit Court of Appeals ruling earlier this year, Judge Robert King wrote “we have no power to extend Second Amendment protections to weapons of war.”

Maryland Attorney General Brian Frosh, who pushed for the legislation as a state senator in 2013, said he hoped the appeals court's ruling and the high court's decision not to review it would encourage other states to adopt similar protections.

“It ought to be a lesson to all states, and I would hope that they would look at the 4th Circuit's decision and the tragic events around the country and come to the conclusion that this is a common-sense law,” said Frosh, a Democrat.

Maryland passed the sweeping gun-control measure after the 2012 Sandy Hook Elementary School massacre that killed 20 children and six educators in Connecticut. It bans 45 kinds of assault weapons and puts a 10-round limit on gun magazines.

“This success is even more significant as we near the five-year anniversary of the horrific tragedy at Sandy Hook Elementary School,” said Jen Pauliukonis, president of Marylanders to Prevent Gun Violence. “While Congress may continue to fail to act, state legislatures must take the lead in protecting American citizens from the atrocities of gun violence in our communities.”

The high court has not re-entered the debate over guns since rulings in 2008 and 2010 that held that Americans have a constitutional right to have guns for self-defense in their homes and that local governments could not ban handguns.

The justices also declined an appeal asserting a constitutional right to carry firearms openly in public.
Federal Judge Upholds Massachusetts Assault Weapons Ban


A federal judge on Friday dismissed a lawsuit that challenged Massachusetts’ 20-year ban on assault weapons, delivering a significant victory to gun-control advocates and to Attorney General Maura Healey, who had warned sellers of “copycat” firearms that they risked prosecution.

In his ruling, US District Judge William Young of Massachusetts wrote that the state’s ban on assault weapons and large- capacity magazines does not violate the right to bear arms under the Second Amendment.

“The AR-15 and its analogs, along with large capacity magazines, are simply not weapons within the original meaning of the individual constitutional right to ‘bear Arms,’ ” Young wrote in a 47-page ruling. “In the absence of federal legislation, Massachusetts is free to ban these weapons and large-capacity magazines. Other states are equally free to leave them unregulated and available to their law-abiding citizens. These policy matters are simply not of constitutional moment.”

Young cited a landmark 2008 Supreme Court decision that found that “weapons that are most useful in military service — M-16 rifles and the like” are not protected under the Second Amendment and “may be banned.”

While Friday’s decision did not establish new precedent, or extend beyond Massachusetts, advocates on both sides of the gun-control debate said it could have broad ramifications.

Supporters of stronger gun-control measures, who are lobbying to make assault weapons illegal across the country following a series of mass shootings, hailed it as a powerful declaration that such bans are legal.

“It’s huge,” said John Rosenthal, founder of Stop Handgun Violence. “It further makes Massachusetts the model for gun-violence prevention, laws, and results.”

Gun-rights activists, meanwhile, said the ruling could give attorneys general far too much power to interpret laws in ways that conform to their own beliefs.

“We’re not going to give one person supreme authority to do whatever they want about any law, not just this law,” said Jim Wallace, executive director of the Gun Owners’ Action League of Massachusetts, an affiliate of the National Rifle Association and a plaintiff in the suit.

Wallace said the plaintiffs, who include a group of gun retailers, had not decided whether to appeal the ruling.
In a statement, the NRA said, “like all law-abiding Massachusetts gun owners, the NRA was extremely disappointed that the court upheld Massachusetts’s ban on many of the most popular firearms in America.”

“As long as politicians and judicial officials continue to flout the law in order to advance a political agenda, the five million members of the NRA will be here to hold them accountable,” the statement read.

In his ruling, Young also upheld Healey’s 2016 decision to notify gun sellers and manufacturers that the state would be “cracking down” on the illegal sale of assault weapons, including firearms that had been altered slightly to sidestep the ban.

Healey sent out that notice in July 2016, a month after a gunman killed 49 people in an Orlando nightclub with a semiautomatic rifle and pistol. The order redefined copycats as those with operating systems essentially similar to those of banned weapons or components that are interchangeable with banned guns.

On Friday, Healey said Young’s decision was a victory for Massachusetts.

“The decision says that we, the people of Massachusetts, have the right to protect ourselves by banning these weapons,” she said at a news conference. “And it makes clear that my office has the authority to enforce the law.”

The lawsuit was filed in January 2017 in response to Healey’s notice to gun manufacturers, but the suit also challenged the state’s 1998 ban.

The state ban was enacted four years after a federal ban was enacted. The Massachusetts law was written to reflect the federal statute and the state Legislature made it permanent in 2004, when the federal ban expired.

In their lawsuit, gun retailers and advocates argued that the AR-15 rifle, which is banned in Massachusetts, should not be seen as a military-style assault weapon, like the M-16 rifle, because it cannot fire in fully automatic mode.

But Young ruled that its design makes the weapon adaptable for military and law enforcement purposes.

“Simply put, AR-15-type rifles are ‘like’ M16 rifles, and fall outside the scope of the Second Amendment,” Young said.

The lawsuit challenged Healey’s enforcement notice on the grounds that it could make people who bought duplicate guns before July 2016 vulnerable to prosecution and that it failed to define clearly which guns would be considered duplicates of the AR-15.

But Young ruled that Healey disavowed her decision to enforce the notice retroactively and provided clarity on which firearms were prohibited.
Dave Workman, senior editor of thegunmag.com, the official magazine of the Second Amendment Foundation, said Young’s ruling failed to take into account the popularity of the AR-15, a top-selling rifle.

“If the citizen militia was ever called up [the AR-15] is probably the gun they would be expected to show up with,” Workman said. “When the First Amendment was written we didn’t have broadcast journalism, the Internet, or cellphones. So none of that stuff is protected either? This is a question that at some point is going to have to be addressed [by] a higher court.”

Healey still faces a separate lawsuit in Worcester federal court that challenges the 2016 enforcement notice.

In that case, Judge Timothy S. Hillman agreed with gun retailers that her order was not clear enough and that there was “a plausible claim” that Healey’s move deprived gun owners of their property — the ability to sell duplicate weapons — without due process.

“Plaintiffs complain that they now refrain from selling such weapons because such sales might be, but are not definitively, illegal,” Hillman wrote.
Overview of District of Columbia v. Heller


Dick Anthony Heller and other plaintiffs challenged the District of Columbia’s decades-old laws banning possession of handguns and requiring firearms in the home to be stored locked or disassembled.

After the D.C. Circuit Court of Appeals ruled the laws unconstitutional under the Second Amendment – the only time a federal appellate court had ever invalidated a gun law on Second Amendment grounds – the U.S. Supreme Court agreed to hear the case. This set the stage for the Court’s first ruling on the Second Amendment in almost 70 years.

The Court’s Holding: The Supreme Court issued its historic decision in District of Columbia v. Heller on June 26, 2008. In a 5-4 ruling written by Justice Antonin Scalia, the Court held that the Second Amendment confers an individual right to possess firearms unrelated to service in a well-regulated state militia. The Court struck down the District’s ban on handgun possession, finding that “the inherent right of self-defense has been central to the Second Amendment” and that handguns are “overwhelmingly chosen by American society” for self-defense in the home, “where the need for defense of self, family, and property is most acute.” The Court also struck down the District’s requirement that firearms in the home be stored unloaded and disassembled or bound by a trigger lock or similar device, because the law contained no exception for self-defense.

An Abrupt About-Face From Prior Precedent: The Court’s ruling in District of Columbia v. Heller represents a radical departure from the Court’s previous interpretation of the Second Amendment in United States v. Miller, 307 U.S. 174 (1939). In the Miller case, the Court stated, in a unanimous decision, that the “obvious purpose” of the Second Amendment was to “assure the continuation and render possible the effectiveness of” the state militia, and the Amendment “must be interpreted and applied with that end in view.” In reliance on Miller, hundreds of lower federal and state appellate courts have rejected Second Amendment challenges to our nation’s gun laws over the last seven decades.

The Right is Not Unlimited: Although the Heller decision establishes a new individual right to “keep and bear arms,” the opinion makes clear that the right is not unlimited, and should not be understood as “a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.” (6) The Court provides examples of gun laws that it deems “presumptively lawful” under the Second Amendment, including those which:

• Prohibit the possession of firearms by felons and the mentally ill;
• Forbid firearm possession in sensitive places such as schools and government buildings;
• Impose conditions on the commercial sale of firearms.

The Court makes clear that this list is not exhaustive. The Court also concludes that the Second Amendment is consistent with laws banning “dangerous and unusual weapons” not “in common use at the time,” such as M-16 rifles and other firearms that are most useful in military service. Finally, the Court declares that its analysis should not be read to suggest “the invalidity of laws regulating the storage of firearms to prevent accidents.”

The Standard of Review: The Heller decision fails to articulate a legal standard of review, or test, to be applied in evaluating other laws under the Second Amendment. Thus, the decision provides little guidance to lower courts or legislators, creating new uncertainty in this area and inviting litigation.

The Second Amendment Applies Only to the Federal Government: Because Heller considered laws of the District of Columbia (a federal enclave), the Court stated that the question of whether the Second Amendment applies to the states is “a question not presented by this case.” While the Heller Court did not rule on whether the Second Amendment applies to state or local governments, the Court did note its earlier decisions holding that “the Second Amendment applies only to the Federal Government.” These decisions remain the law of the land.
A Brief History of the National Rifle Association

The National Rifle Association was founded in 1871 by George Wood Wingate, a lawyer, and William Conant Church, a former New York Times reporter, two Civil War veterans who sought to improve the marksmanship of US soldiers.

The original focus of the NRA was hunting, conservation, and marksmanship. For nearly a century, the NRA actively lobbied for gun control.

The NRA backed the first federal gun laws, including the National Firearms Acts of 1934 and 1938.

The National Firearms Acts placed heavy taxes and regulations on machine guns, sawed-off shotguns, and silencers; prohibited felons from owning weapons and required gun owners to register with the Federal government.

The NRA leader at the time, Karl Frederick, not only endorsed the National Firearms Acts, he also said, “I have never believed in the general practice of carrying weapons. I do not believe in the general promiscuous toting of guns. I think it should be sharply restricted and only under licenses.”

When it was reported that Lee Harvey Oswald used a rifle purchased via NRA mail-order advertisement, the NRA backed banning mail order sales.

When the Black Panther Party marched on the California Capitol carrying shot guns and rifles, the NRA supported state legislation prohibiting “open carry” in public places.

The governor Ronald Reagan said, “There’s no reason why on the street today a citizen should be carrying loaded weapons.”

In 1968, the Gun Control Act of 1968 was passed by Congress. The GCA prohibited all convicted felons, drug users and the mentally ill from buying guns; and raised the age to purchase handguns from a federally licensed dealer to 21. While mostly supportive of the legislation, the NRA did block attempts to include a national gun registry and a requirement for all gun carriers to be licensed.

In 1971, Federal agents shot and paralyzed Kenyon Ballew during a gun raid in his home. Ballew was a longtime and well-known NRA member. Within the NRA, Ballew’s shooting led to a surge in anti-government sentiment. Hardliners within the organization began to grow impatient.

In 1977, at the NRA’s convention, gun rights radicals stormed the group’s annual convention in Cincinnati, demanding changes to the group’s governing structure.
The NRA’s old guard was ousted. In NRA history, this is referred to as the “Cincinnati Revolt.” The new Executive Vice President Harlon Carter, who had served time for fatally shooting a Mexican teenager, made clear the NRA’s new approach: “No compromise. No gun legislation.”

Carter also spelled out the organization’s new political strategy: “The NRA will be so strong that no politician in American mindful of his political career would want to challenge our goals.”

The NRA began grading politicians based on their stance on gun legislation. Those with the best grades were given campaign money. In many cases, very large contributions. Those with low or failing grades earned the wrath of the NRA and their growing membership.

The NRA leadership adopted the new motto “The Right of the People to Bear Arms Shall Not Be Infringed.” The group waded further into the culture wars, emboldened by conspiracy theories about the government’s plans to confiscate guns from gun owners. They began to frame any piece of gun legislation as a first step towards all out disarmament, the so-called “slippery slope.”

In 2000, Charlton Heston challenged then Democratic presidential candidate Al Gore to pry Heston’s gun from his “cold dead hands.” Gore lost the election. The next year, the NRA was named the most powerful lobbying group in DC by Fortune magazine.

The NRA receives money from over 20 different gun makers including Smith and Wesson, and Beretta, which moved its headquarters to Gallatin, Tennessee in 2016.

The organization essentially acts as a trade organization for the firearms industry. Firearms manufacturers donate large sums to the NRA who in turn respond to every mass shooting, every schools shooting, and every report about gun violence with a call for more people to have access to more guns to carry more places.

After Sandy Hook, the NRA took in record amounts of money and the firearm industry sold a record number of guns. 2013 afforded the NRA a total revenue of $347,968,789, an increase of $91 million over the previous year. And, Smith & Wesson and Strum, Ruger & Co. reported sales increased by more than 70 percent.

In 2016, the NRA spent over $50 million in elections, including a record $30.3 million donated to the Trump campaign.
How the NRA’s True Believers Converted a Marksmanship Group into a Mighty Gun Lobby


In gun lore it’s known as the Revolt at Cincinnati. On May 21, 1977, and into the morning of May 22, a rump caucus of gun rights radicals took over the annual meeting of the National Rifle Association.

The rebels wore orange-blaze hunting caps. They spoke on walkie-talkies as they worked the floor of the sweltering convention hall. They suspected that the NRA leaders had turned off the air-conditioning in hopes that the rabble-rousers would lose enthusiasm.

The Old Guard was caught by surprise. The NRA officers sat up front, on a dais, observing their demise. The organization, about a century old already, was thoroughly mainstream and bipartisan, focusing on hunting, conservation and marksmanship. It taught Boy Scouts how to shoot safely. But the world had changed, and everything was more political now. The rebels saw the NRA leaders as elites who lacked the heart and conviction to fight against gun-control legislation.

And these leaders were about to cut and run: They had plans to relocate the headquarters from Washington to Colorado.

“Before Cincinnati, you had a bunch of people who wanted to turn the NRA into a sports publishing organization and get rid of guns,” recalls one of the rebels, John D. Aquilino, speaking by phone from the border city of Brownsville, Tex.

What unfolded that hot night in Cincinnati forever reoriented the NRA. And this was an event with broader national reverberations. The NRA didn’t get swept up in the culture wars of the past century so much as it helped invent them — and kept inflaming them. In the process, the NRA overcame tremendous internal tumult and existential crises, developed an astonishing grass-roots operation and became closely aligned with the Republican Party.

Today it is arguably the most powerful lobbying organization in the nation’s capital and certainly one of the most feared. There is no single secret to its success, but what liberals loathe about the NRA is a key part of its power. These are the people who say no.

They are absolutist in their interpretation of the Second Amendment. The NRA learned that controversy isn’t a problem but rather, in many cases, a solution, a motivator, a recruitment tool, an inspiration.
Gun-control legislation is the NRA’s best friend: The organization claims an influx of 100,000 new members in recent weeks in the wake of the elementary school massacre in Newtown, Conn. The NRA, already with about 4 million members, hopes that the new push by Democrats in the White House and Congress to curb gun violence will bring the membership to 5 million.

The group has learned the virtues of being a single-issue organization with a very simple take on that issue. The NRA keeps close track of friends and enemies, takes names and makes lists. In the halls of power, it works quietly behind the scenes. It uses fear when necessary to motivate supporters. The ultimate goal of gun-control advocates, the NRA claims, is confiscation and then total disarmament, leading to government tyranny.

“We must declare that there are no shades of gray in American freedom. It’s black and white, all or nothing.” Executive Vice President Wayne LaPierre said at an NRA annual meeting in 2002, a message that the organization has reiterated at almost every opportunity since.

“You’re with us or against us.”

An identity crisis

The National Rifle Association was founded in 1871 by National Guard and retired Army officers in New York who vowed to “promote rifle practice” and improve marksmanship. The first president, Civil War general Ambrose Burnside, had seen too many Union soldiers who couldn’t shoot straight. For generations thereafter, the NRA focused on shooting, hunting and conservation, and no one thought of it as a gun lobby.

The turmoil of the 1960s — assassinations, street violence, riots — spurred Congress to pass the Gun Control Act of 1968, the first major piece of gun legislation since the New Deal. Supporters of gun control originally included California Gov. Ronald Reagan, who worried about the heavily armed Black Panthers.

The NRA didn’t like the 1968 law, viewing it as overly restrictive, but also didn’t see it as a slide toward tyranny. The top NRA officer, Franklin Orth, wrote in the association’s publication American Rifleman that “the measure as a whole appears to be one that the sportsmen of America can live with.” The key word: “sportsmen.”

In 1972, a new federal agency charged with enforcing the gun laws came into being: the Bureau of Alcohol, Tobacco and Firearms (ATF). Lawmakers raged against the terror of cheap handguns known as Saturday-night specials.

It was in that environment that Neal Knox rose to prominence.

Clifford Neal Knox — born in Oklahoma, raised in Texas, a graduate of Abilene Christian College — started out as a newspaper reporter and editor before founding, at the age of 30, Gun Week magazine.
He wanted to roll back gun laws, even the ones that restricted the sale of machine guns. He believed that gun-control laws threatened basic American freedoms, that there were malign forces that sought nothing less than total disarmament. There would come a point when Knox would suggest that the assassinations of the 1960s and other horrors might have been part of a gun-control plot: “Is it possible that some of those incidents could have been created for the purpose of disarming the people of the free world? With drugs and evil intent, it’s possible. Rampant paranoia on my part? Maybe. But there have been far too many coincidences to ignore” (Shotgun News, 1994).

In the second half of the 1970s, the NRA faced a crossroads. Would it remain an Establishment institution, partnering with such mainstream entities as the Ford Foundation and focusing on shooting competitions? Or would it roll up its sleeves and fight hammer and tongs against the gun-control advocates? Or flee to the Mountain West? The latter was appealing, and the NRA leadership decided to move the headquarters to Colorado and also spend $30 million to build a recreational facility in New Mexico called the National Outdoor Center.

The moderates felt rejected by both the NRA hard-liners and the Washington elite.

“Because of the political direction the NRA was taking, they weren’t being invited to parties and their wives were not happy,” says Jeff Knox, Neal’s son and director of the Firearms Coalition, which fights for the Second Amendment and against laws restricting guns or ammunition. “Dad was on the phone constantly with various people around the country. He had his copy of the NRA bylaws and Robert’s Rules, highlighted and marked. My father and a lot of local club leaders and state association guys organized their troops.”

Theirs was a grass-roots movement within the NRA. The solution was to use the membership to make changes. The bylaws of the NRA gave members power on the convention floor to vote for changes in the NRA governing structure.

“We were fighting the federal government on the one hand and internal NRA on the other hand,” Aquilino says.

In Cincinnati, Knox read the group’s demands, 15 of them, including one that would give the members of the NRA the right to pick the executive vice president, rather than letting the NRA’s board decide. The coup took hours to accomplish. Joe Tartaro, a rebel, remembers the evening as “electric.” The hall’s vending machine ran out of sodas.

By 3:30 in the morning the NRA had a whole new look. Gone were the Old Guard officers, including Maxwell Rich, the ousted executive vice president. The members replaced him with an ideological soul mate of Knox’s named Harlon Carter.

Carter, a longtime NRA board member, had arrived in Washington in 1975 as founding director of a new NRA lobbying unit, the Institute for Legislative Action (ILA). His pugnacious approach, which ranked the Old Guard, was captured in a letter he wrote to the entire NRA
membership to discuss the fight in Congress over gun control: “We can win it on a simple concept — No compromise. No gun legislation.”

He had a shaved head (“bullet-headed” was one description) and vaguely resembled Nikita Khrushchev. A former U.S. Border Patrol agent and chief, Carter was an outstanding marksman who racked up scores of national shooting records. (Four years into his tenure, he would acknowledge that, as a 17-year-old, he’d shot and killed another youth, claiming self-defense. He was convicted of murder, but the verdict was overturned on appeal.)

Within months, thanks to Carter, Knox was working in the NRA headquarters, running Carter’s old lobbying unit. And Carter made clear in an interview with The Washington Post that the NRA wouldn’t be relocating to Colorado:

“This is where the action is,” Carter said.

Another leadership change

Over the next few years, NRA membership tripled. With the presidential election of Reagan, the energized activists went on the offensive, hoping to roll back the 1968 gun-control laws and, in the process, abolish the ATF.

Aquilino, who became the top NRA spokesman, remembers those days as great fun: “We were a bunch of 25-year-olds, and we created the whole grass-roots lobbying concept.”

The hard-charging style of Neal Knox created internal and external turbulence. Carter kept looking over his shoulder at Knox, who clearly wanted the top job. On Capitol Hill, lawmakers chafed at NRA pressure. Sen. Bob Dole (R-Kan.) complained of the NRA, “You have to have a litmus test every five minutes or you’re considered wavering.”

One day in 1982, Knox came to work and discovered that he’d been locked out. He’d been fired as head of the NRA’s lobbying shop and replaced by a mellower character, Warren Cassidy. Cassidy portrayed himself in an interview with The Post as a reasonable man: “There have been lobbyists at the NRA whose zeal has occasionally gotten in the way of their common sense.”

“They felt Dad was too extreme and too uncompromising and they could get more mileage with honey than vinegar, so Harlon pulled the rug out from under him. It was hugely painful. They were best of friends,” Jeff Knox said. “Dad showed up to work in the morning and there was a security guard with his boxes of stuff at the front door, and he wasn’t allowed back into the building.”

Neal Knox hovered around the organization. He managed to get elected to the board in 1983, only to be expelled a year later. (“My mistake — Mine! — was not to have cleaned house on the board when I had a chance,” Knox told The Post in 2000.) Carter, meanwhile, retired in 1985.

What happened next revealed the NRA’s delicate position as a Washington institution representing a large and increasingly hard-line membership. After years of lobbying by the NRA,
Congress passed the Firearm Owners Protection Act of 1986, which, among other gun-friendly provisions, eased restrictions on interstate sales of firearms and expressly prohibited the federal government from creating a database of gun ownership.

A huge NRA triumph, the media declared. Some lawmakers said off the record that they would have voted against the act but feared retaliation from the gun lobby. And yet the Second Amendment fundamentalists were furious. The NRA endorsed the act even though it included a last-minute amendment pushed by gun-control advocates that further tightened the restrictions on machine guns.

The hard-liners like Knox feared that the NRA had gone wobbly. Membership declined. Knox blamed the organization’s financial and membership problems on Cassidy and a general “compromising and wimpiness.” Cassidy shot back in the press: “Neal is unhappy about everything about an NRA that can function without Neal Knox. . . . Neal believes that the sun does not rise unless he permits it and does not set unless he permits it.” Knox, however, wasn’t going away.

A shift back

The NRA made a comeback in part because of the Brady Handgun Violence Prevention Act. The gun-control effort, named for White House press secretary James Brady, who was wounded in the 1981 assassination attempt on Reagan, called for a seven-day waiting period on gun purchases and a background check on the purchaser.

“What if there had been a Brady Bill 150 years ago? What if they had to wait seven days to get their rifles to come to the Alamo and fight?” an NRA vice president, Robert Corbin, shouted to loud applause at the annual meeting in 1991 in San Antonio, according to The Post’s account.

The membership once again shoved the NRA to the right, electing dissidents to the board, including the editor of Soldier of Fortune magazine. Among the new board members was a familiar face: Neal Knox.

“What you’re seeing now is the NRA on the way back,” he said at the time.

The organization had a new executive vice president, as well, Wayne LaPierre, who knew the organization inside and out from years in the lobbying shop. LaPierre, then 41, had been a PhD student in political science at Boston University with political skills smooth enough to land a job offer after college with Tip O’Neill, the legendary liberal House speaker from Massachusetts.

Instead, LaPierre gravitated toward the lobbying world and, in 1978, was hired by Knox as an NRA lobbyist. He had helped write the gun-friendly 1986 legislation, and he maintained an unwavering stance on the Second Amendment. The NRA flourished under LaPierre’s leadership. As Bill Clinton ascended to the presidency, some 600,000 people joined the NRA, according to LaPierre’s tally. He appointed a Knox ally, Tanya Metaksa, as head of the NRA lobbying unit.
“Wayne was trying to protect his flank, and he needed somebody very hard core,” recalls Richard Feldman, who worked for the NRA in the 1980s and whose book “Ricochet” is a tell-all on gun politics.

LaPierre knew what notes to hit to satisfy the hard-liners. At the annual meeting in 1993, LaPierre told the members, “Good, honest Americans stand divided, driven apart by a force that dwarfs any political power or social tyrant that ever before existed on this planet: the American media.”

Democrats in Congress and some Republican allies passed an assault-weapons ban in 1994. That fired up the NRA base. The NRA’s rhetoric grew harsher. Out on the political fringe, the militia movement grew in influence, as anti-government activists warned of black helicopters carrying federal agents dressed like ninjas. The militants cited the 1992 shooting deaths of two civilians in a federal raid at Ruby Ridge, Idaho, and the 1993 siege by federal agents of a religious sect’s compound in Waco, Tex., that culminated in a fire killing 76 people.

John Magaw, then the head of the ATF, recalls trying to set up meetings with the NRA to discuss gun issues. “They would not answer. They would ignore us.”

It was personal, too. Once, Magaw says, he saw LaPierre waiting to board a plane at Dulles International Airport. They were at the same gate.

“I went over to pay my respects and say hello,” he says. “He just turned and walked away. He wouldn’t talk to me.”

The NRA did not make LaPierre or any other NRA official available for an interview for this article.

Everything seemed to be going the NRA’s way in the aftermath of the 1994 midterm election, when Democrats were drummed from the House en masse. But then came Oklahoma City.

Timothy McVeigh’s April 1995 bombing of the Alfred P. Murrah Federal Building killed 168 people, including 19 children in a day-care center, and although the NRA had nothing to do with the terrorist attack, the association’s strident anti-government rhetoric drew national attention. News reports focused on a fundraising letter, signed by LaPierre and sent to NRA members before the bombing, that said the new assault-weapons ban “gives jackbooted Government thugs more power to take away our constitutional rights, break in our doors, seize our guns, destroy our property and even injure and kill us.”

Even staunch NRA members began to get queasy. Former president George H.W. Bush resigned his NRA membership. Former NRA president Richard Riley, who headed the association from 1990 to 1992, told The Post at the time, “We were akin to the Boy Scouts of America . . . and now we’re cast with the Nazis, the skinheads and the Ku Klux Klan.”

LaPierre apologized for having used language that he said was wrongly interpreted as a broad attack on federal agents. And he began to maneuver behind the scenes to keep the NRA from
turning into a fringe organization like the John Birch Society. That would mean doing something about Neal Knox, Metaksa and their allies.

At the 1997 annual meeting in Seattle, Knox ran for the office of first vice president, a position that would put him in the line of succession to become president of the NRA. But suddenly he had competition for that job from none other than Charlton Heston. The legendary actor and NRA supporter beat Knox by four votes and went on to become president.

“Needless to say, when you run against Moses, Moses wins,” says Joe Tartaro, the Cincinnati rebel.

Metaksa left ILA the next year, and Knox was off the board at decade’s end. He died in 2005. David Gross, a self-described “Knoxinista,” says Knox and his allies ultimately won the ideological battle even if they personally didn’t survive as NRA leaders.

“You know the old saying, ‘You never want to be first’?” Gross says. “The person with the alleged radical ideas, or the new ideas, they extend themselves, they fail, then somebody comes along, picks up the pieces and then develops the project.”

By 2000, the NRA had become even more closely aligned with the Republican Party and worked strenuously to keep Al Gore from becoming president. At the annual meeting in May of that year, Hollywood legend Heston provided what might be the signature moment in the history of the NRA. He spoke of a looming loss of liberty, of Concord and Lexington, of Pearl Harbor, the “sacred stuff” that “resides in that wooden stock and blued steel.”

Handed a replica of a Colonial musket, he said: “As we set out this year to defeat the divisive forces that would take freedom away, I want to say those fighting words for everyone within the sound of my voice to hear and to heed — and especially for you, Mr. Gore.” He held the gun aloft. “From my cold, dead hands!”

The power of controversy

Had Gore managed to carry Arkansas or West Virginia — states full of gun-toting Democrats — or his home state of Tennessee, he would have become president even without any favorable recount of votes in Florida. The next spring, citing the election results, Fortune magazine ranked the NRA as the most powerful lobbying group in Washington, surpassing even AARP.

The paradox for the NRA is that it gains strength when under assault. During the 2000s, with gun control now largely off the table, the NRA membership leveled off. In 2004, the assault-weapons ban expired; in 2008, the Supreme Court ruled, in a 5 to 4 vote, that the Second Amendment establishes an individual’s right to own a firearm.

The NRA is now headquartered outside the Beltway, in Fairfax, and, according to its 2010 filing with the IRS, has 781 employees and 125,000 volunteers. Annual revenue tops $200 million. It’s
a tax-exempt, “social welfare” organization with the self-described mission “to protect and defend the U.S. Constitution, to promote public safety, law and order and the National defense.”

LaPierre received $960,000 in compensation from the NRA and related organizations, according to the 2010 documents. Kayne B. Robinson, executive director of general operations, was paid more than $1 million. Chris Cox, head of the ILA, made $666,000. NRA President David Keene, a longtime conservative activist who was elected in 2011, is unpaid.

Last election cycle, the NRA spent about $20 million on federal election campaigns, according to Opensecrets.org. It has endowed a professorship at George Mason University (the Patrick Henry Professorship of Constitutional Law and the Second Amendment). It’s a prodigious publisher of newsletters and glossy magazines, including American Rifleman, which in 2011 reported a paid circulation of 1.8 million. The NRA has a weekly TV show (“American Rifleman Television” on the OutdoorChannel) and a satellite news service, NRA News. The Web site is as slick as they come (as it loads on the screen, the site informs the visitor, “The full NRA experience requires a broadband connection”).

Beyond the financial muscle, the NRA has people power. The NRA can inundate local, state or congressional offices with phone calls via a single action alert to the membership.

Cleta Mitchell, an NRA board member, says, “Obama famously referred to people who ‘cling to guns and religion.’ He was right. We do. And we are proud of it. This is about abiding principles, and people take action when they think someone or some group is taking away precious values.”

Grover Norquist, the influential tax activist and an NRA board member since 2000, believes that gun-control advocates fail to recognize that their efforts are viewed by many gun owners as a message that says, “You don’t like me.” That message blots out all other efforts to communicate, he says. And no one, he says, votes for a candidate simply because that candidate is in favor of gun control. Millions of voters, however, will vote against a candidate on that single issue, he says. He thinks Democrats’ efforts to pass new gun laws will backfire.

“The D’s keep coming back to this. This is so visceral to them,” Norquist says. “Again, it’s an expression of contempt for Middle America. They don’t like you and yours and don’t think you should be in charge of the capacity to take care of yourself. They know they can’t do this for you, but they’ve hired these nice people to draw chalk outlines of your kids, and that’s supposed to make you feel better.”

William J. Vizzard, a retired ATF official who is now a criminal justice professor at California State University at Sacramento, says the NRA is not trying to be like other Washington organizations seeking to influence legislation.

“The NRA is a populist lobby,” he says. “They get support when people are mad and stirred up. They want the attention. They’re not interested in fixing things. They want to stir things up, and
the more they stir things up, the more members they get and the more money they make. What
do they gain by compromising? Nothing.”

In the fall of 2009, Chuck Wexler, the executive director of the Police Executive Research
Forum, convened a gun conference that brought police chiefs and law enforcement officials to
Washington from around the country. Wexler also reached out to the NRA. The NRA
representative remained largely silent, and at the end of the day Wexler sensed that the NRA had
showed up merely to say no.

“They were not willing to accept what police chiefs who deal with shooting and firearms every
day were saying,” Wexler says. “It was like, we don’t really care what you’re saying because this
is what we think. The NRA has a preconceived idea about what should be done. And that is
nothing.”

The NRA keeps track of gun-control supporters and makes lists. The NRA compendium of
“National Organizations With Anti-Gun Policies” includes AARP, the AFL-CIO, the American
Medical Association, the American Bar Association and the American Academy of Pediatrics —
just from the A’s on the list. (Toward the end of the list is The Washington Post.)

The NRA waited a week before it responded in depth to the Newtown massacre. LaPierre’s news
conference, covered live on cable television, reintroduced America to the core values of the
association. After calling for armed guards for every school, and uttering the line, “The only
thing that stops a bad guy with a gun is a good guy with a gun,” LaPierre predicted that he’d be
beaten up in the news media: “I can imagine the headlines, the shocking headlines you’ll print
tomorrow. ‘More guns,’ you’ll claim, ‘are the NRA’s answer to everything.’ Your implication
will be that guns are evil and have no place in society, much less in our schools.”

“CRAZIEST MAN ON EARTH” blared the front-page headline of the next morning’s New

Among the most sensitive issues for the NRA is the idea of a national database of gun
registration. It is orthodoxy among gun rights advocates that registration is a prelude to
confiscation. The diehards invoke Hitler and other dictators who confiscated guns prior to
slaughtering innocents. The NRA also argues that such registration is unconstitutional.

Two years ago, as part of The Post’s investigative series “The Hidden Life of Guns,” NRA
lobbyist Chris Cox explained the organization’s position:

“The federal government has no business maintaining a database or a registration of Americans
who are exercising a constitutional right. Just like they have no right and no authority to maintain
a database of all Methodists, all Baptists, all people of different religious or ethnic backgrounds.”

Last week, Vice President Biden said the administration might use “executive orders” to curtail
gun violence, a remark that incited the Drudge Report to run a screaming headline with
photographs of Hitler and Stalin splashed on the page.
Biden met with NRA representatives Thursday at the White House. The NRA listened to the administration’s ideas and then provided an immediate response.

“We were disappointed with how little this meeting had to do with keeping our children safe and how much it had to do with an agenda to attack the Second Amendment,” the NRA said afterward in a statement e-mailed to its members. “We will not allow law-abiding gun owners to be blamed for the acts of criminals and madmen.” In short: No.
The NRA Placed Big Bets on the 2016 Election and Won Almost All of Them


In North Carolina, the NRA spent $6.2 million on the incumbent Republican Sen. Richard Burr, the most it has ever invested in a down-ballot race.

The National Rifle Association took a historic gamble in 2016, and it paid off in a huge way.

The gun rights group placed multimillion-dollar bets on Donald Trump and six Republican Senate candidates locked in highly competitive races. It poured $50.2 million, or 96 percent of its total outside spending, into these races, and lost only one — an open seat in Nevada, vacated by the Democratic Minority Leader, Harry Reid. That race cost the NRA roughly $2.5 million.

The NRA’s big night came as a tidal wave of white voters without college degrees voted overwhelmingly for Trump, leading to one of the biggest election-night upsets in memory. The reasons why this demographic turned out in such high numbers for the GOP nominee will be parsed for years, and it is not at all clear how much of a factor his embrace of the NRA’s hardline position on gun rights played into the outcome.

But the NRA’s investment, which was more than any other outside group, paid for a slew of ads that directly targeted the same voters who propelled Trump to victory. The organization’s radio and television spots sought to cast Hillary Clinton and the Democratic rivals of its preferred Senate candidates as an existential threat to the Second Amendment, and national security. It is a message that resonates in the gun belt, a swath of primarily Southern and Midwestern states where Trump achieved some of his most consequential victories.

In October alone, according to the Center for Public Integrity, roughly one out of every 20 television ads in Pennsylvania was sponsored by the NRA. That same month, the group paid for one in nine ads in North Carolina, and one of every eight in Ohio. The ads imply that Clinton and Democrats would leave law-and-order abiding citizens defenseless. In one spot, a woman is alone in bed when a burglar breaks into her home. The narrator intones, “Don’t let Hillary leave you protected with nothing but a phone.”

Trump won all three states, and the NRA’s preferred Senate candidates also swept to victory. The NRA’s largest 2016 outlay was the $30.3 million it spent in support of Trump.

In North Carolina, the group spent $6.2 million on the incumbent Republican Senator Richard Burr, the most it has ever invested in a down-ballot race. Burr won by about six percentage points. Elsewhere, the NRA helped elect Senators Marco Rubio in Florida; Roy Blunt in Missouri; Todd Young in Indiana; and Rob Portman in Ohio. It spent between $2 million and $3.2 million on each of those races.
The numbers account for independent expenditures—unrestricted money spent on ads and other media, independent of official campaigns.

The 2016 election results represent a continuation of the NRA’s impressive success rate when making substantial investments in closely-contested races. Over the three prior election cycles, the group disbursed $1 million dollars or more toward 14 congressional races, and achieved its desired outcome 11 times. To help Republicans win back the Senate in 2014, it spent $20.6 million dollars on five key races in the upper chamber, and in each of them, its preferred candidate won.

This election cycle, the NRA spent more than $52 million—a number that will rise as final campaign finance figures are tallied - to carry on its efforts to increase Republican control of government, a mission that has ramped up since the *Citizens United* decision in 2010, when the Supreme Court removed caps on independent expenditures. The sum is by far the greatest in the organization’s history, smashing its previous record, of $31.7 million, set in 2014.

In federal elections, the NRA typically ranks among heavyweight outside spending groups. For the second cycle in a row, it has earned a place in the top ten. But 2016 was a unique year for the organization, owing to the fact that many super PACs, like Karl Rove’s American Crossroads GPS, which spent roughly $115 million to elect Mitt Romney in 2012, declined to back Trump. The NRA stepped in to fill the void, putting at least $30.3 million on the line to help elect the real estate mogul, more than any other outside group — including the leading Trump super PAC, which spent $20.3 million. By comparison, the gun rights group deployed about $12.5 million to help Romney in 2012.

The close relationship between the NRA and Donald Trump began in May, when the organization endorsed the candidate earlier than it had ever endorsed a Republican presidential contender. Trump appeared before thousands of people at the NRA convention in Louisville, Kentucky, where he gleefully accepted the organization’s official support.

“The Second Amendment is under threat like never before,” Trump told the crowd. “Crooked Hillary is the most anti-gun, anti-Second Amendment candidate ever to run for office.”

In July, the NRA’s top lobbyist, Chris Cox, was given a prime speaking slot at the Republican National Convention. He reminded attendees that the next president would fill a Supreme Court vacancy, and the new Justice could directly affect gun rights.

“A Hillary Clinton Supreme Court means your right to own a firearm is gone,” he said.

Before Election Day, polls suggested that the Senate, under Republican control since 2014, was up for grabs. Now in the position of defending the upper chamber, the NRA focused the majority of its resources on six toss-up seats, hoping to keep or flip them Republican.

The House, under Republican control before the election, was not expected to change hands, and so it was not a priority for the NRA. All told, it sprinkled roughly $1 million over 48 races. The
group made two substantial investments in Republican incumbent candidates — just under $215,000 in Lloyd Smucker of Pennsylvania, and about $175,000 in Bruce Poliquin of Maine. Both candidates won.
How the NRA Resurrected the Second Amendment


It was said in 1989 after a gunman killed five children at Cleveland Elementary School in Stockton, California. It was said in 1999 after two teenagers killed 13 of their peers at the high school in Columbine, Colorado. It was said in 2012 after a shooter killed 20 children and six adults at Sandy Hook Elementary School in Newtown, Connecticut. It was said in 2016 after a man killed 49 people at the Pulse nightclub in Orlando, Florida, and in 2017 after a man killed 58 at a country concert in Las Vegas.

“Never again.”

On February 14, it happened again. A man went into Marjory Stoneman Douglas High School in Parkland, Florida, and opened fire. He killed 17 people — making it the deadliest school shooting since Sandy Hook.

Once again, Americans are hoping it will never happen again. But because of the US’s limited gun laws and a reticence to address the root causes of mass gun violence, it very likely will. While other countries, from the UK to Australia, have responded to shootings with new restrictions on firearms, US lawmakers will likely be unable to pass significant laws curtailing access to guns, and yet another person will be able to carry out yet another horrific act. No amount of carnage — no amount of research showing gun control saves lives — seems to change this.

This has become so accepted that the satirical news site the Onion has been able to regularly repromote its article “‘No Way To Prevent This,’ Says Only Nation Where This Regularly Happens.”

How did American politics on guns go so wrong?

Experts and historians in this field told me that this deterioration has been decades in the making, as the top organization of the gun lobby, the National Rifle Association, took part in a decades-long, massive political campaign that helped alter Americans’ — and even the courts’ — views of gun rights and particularly the Second Amendment.

In doing this, the NRA shifted the country from the view that the Second Amendment is about the federal government’s role in state-run militias to one that it’s really about individual Americans’ right to bear arms. Through this constitutional shield, America’s gun rights enthusiasts have been able to tilt the country’s politics dramatically to the right on this issue.

This has proved remarkably endurable. Despite mass shooting after mass shooting, America has been unable to pass any serious federal gun control. And beyond such tragedies, the US has been
unable to deal with even everyday gun violence — the kind that has made America No. 1 in the
developed world (by far) for gun deaths.

And it all comes down a big shift in views on a provision of the Bill of Rights that was once
called the “lost amendment” because it got so little attention from scholars and the courts. The
NRA managed to revive this amendment from its forgotten status to make it one of the most
important pieces of law in modern political times.

A brief history of the Second Amendment

“The current situation,” Saul Cornell, a historian at Fordham University, told me, “is kind of
anomalous.”

During the Constitution’s drafting and ratification, there was some concern that the federal
government would have far too much power to dismantle state-run militias, because the
Constitution gave the federal government power over “organizing, arming, and disciplining, the
Militia.” This worried states, which relied on militias for law enforcement and defense. In
particular, Carl T. Bogus, a researcher at the Roger Williams University School of Law, argues
that Southern states were concerned that the federal government could use this power to go after
slavery, since militias were often used as slave patrols at the time.

After the Constitution was ratified, the founders took to writing a Bill of Rights to assuage the
concerns raised by anti-federalists. Aware of criticisms about the federal government’s powers
over state militias, they included the Second Amendment in this context.

“With this background, now listen to the Second Amendment fresh and anew,” Bogus told me,
reciting the law: “A well regulated militia, being necessary to the security of a free state, the
right of the people to keep and bear arms, shall not be infringed.”

The historical record reflects this. In The Second Amendment, author Michael Waldman goes
back to the creation of the Bill of Rights for answers. He found that the Second Amendment was
among the least debated provisions by Congress. In the House, he wrote, “Twelve congressmen
joined the debate. None mentioned a private right to bear arms for self-defense, hunting, or for
any purpose other than joining the militia.”

In fact, guns were well regulated at the time. Legal scholar Adam Winkler wrote for the New
York Review of Books:

What the NRA doesn’t like to admit is that guns were regulated in early America. People
deemed untrustworthy — such as British loyalists unwilling to swear an oath to the new
nation — were disarmed. The sale of guns to Native Americans was outlawed. Boston
made it illegal to store a loaded firearm in any home or warehouse. Some states
conducted door- to-door registration surveys so the militia could “impress” those
weapons if necessary. Men had to attend musters where their guns would be inspected by
the government.
As for what constitutes a militia, the founders were purposely vague, leaving it to Congress to define. In the past, these were organizations of all or most able-bodied men that states and the federal government armed for security and law enforcement. In modern terms, the militia is, essentially, the National Guard.

Much of this, Cornell said, came out of a Cincinnatus view toward guns and defense — a reference to the legendary Roman general who, according to the story (and possibly myth), went back to farming instead of attempting to seize more power after he led the Romans to victories. This kind of republican value was embedded in American values at the time, so the founders made sure to enshrine it in the Constitution. But it only preserved the collective right to own firearms insofar as able-bodied men needed the weapons to help defend their state and country.

This was the perspective of legal scholars and courts for most of US history. As Bogus noted in a 2000 law review article, “from the time law review articles first began to be indexed in 1887 until 1960, all law review articles dealing with the Second Amendment endorsed the collective right model.”

“The collective rights model holds that the people only have a constitutional right to keep and bear arms within the militia,” Bogus said. So Americans collectively had legal access to guns to take part in the militia, but the Second Amendment didn’t protect any rights beyond that.

The individual rights model, meanwhile, “puts the Second Amendment on par with other fundamental rights of individuals (speech, liberty, association) and raises the bar of protection from state and local governments looking to regulate the right to bear arms,” Amanda Hollis-Brusky, a constitutional law expert at Pomona College and author of Ideas With Consequences, told me. In short, it makes it much harder to regulate guns — because now every single individual, not just the collective (or militia), has a right to bear arms.

America has effectively shifted from the collective rights to individual rights model in recent years. That shift, however, did not come out of nowhere; it was decades in the making.

*The NRA’s Cincinnati revolt changed everything*

Since the late 1970s, the NRA has conducted a concerted campaign to change Americans’ views of the Second Amendment. And by and large, it has worked.

To understand the recent developments, it’s important to understand how the NRA has changed over the past several decades. Originally, the NRA was a hobbyist group with a focus on marksmanship and hunting — not really much in the way of politics.

That changed in 1977, with what’s now known as the Cincinnati Revolt. “The NRA has been in the grips of right-wing partisans since that time,” Bogus said. “That’s created a very powerful lobby.”

Prior to the 1930s, the federal government had a very limited role in gun policy. It was by and large restrained to regulating militias. With the rise of the New Deal, expansion of federal
powers, and an increase in homicides and crime, Congress and the White House in the ’30s embraced a more involved role. They enacted the National Firearms Act, with restrictions on machine guns, sawed-off shotguns, and silencers. The NRA, a large but not very political body at the time, didn’t really stand in the way of the law.

For the next few decades, guns weren’t much of an issue at the federal level. But that began to change in the ’60s, with multiple assassinations — of John F. Kennedy, Robert Kennedy, and Martin Luther King Jr. — and the rapid increase in crime at the time. So the federal government again passed a new series of gun restrictions, particularly the Gun Control Act of 1968.

At this point, gun rights activists began to worry. The leadership at the NRA was complacent with and even publicly supportive of gun control policies, and began to talk about withdrawing from its already limited political lobbying. (Notably, Lee Harvey Oswald, who assassinated JFK, obtained the gun through an ad in the NRA’s magazine, American Rifleman — so the organization’s leaders likely felt restrained in how far they could go in opposing gun control, given the potential backlash the group could face.)

But a few hardline members, led by Harlon Carter, subscribed to the argument that if the federal government were given even an inch in regulating guns, it would take a mile, and that would end up with guns banned altogether. So during the organization’s 1977 meeting in Cincinnati, Carter and his supporters rebelled, placing him in charge. It was at this point that the NRA truly became the gun lobby. (Much more on all of this in the books Under Fire by Osha Gray Davidson and Gunfight by Adam Winkler.)

In particular, the NRA has been fueled by the belief that the Second Amendment is the one thing standing against a tyrannical government. Its core claim: Without an armed citizenry, the government will have an easier time suppressing people’s rights. It was not that the Second Amendment was there to let state governments maintain militias; it was that the Second Amendment was there to let the people stand against the government in general. In embracing and propagating this view, the NRA managed to tap into growing public distrust in government — fueled especially by Watergate and the failure of the Vietnam War.

Kristin Goss, author of The Gun Debate: What Everyone Needs to Know, said the shift also turned the NRA into the organization we know today: not just opposed to stricter gun regulations, but also a “culture warrior” group of conservatives distrustful of government. “I don’t think they’re really a single-issue gun rights group anymore,” she said. “That’s still the dominant theme, but gun rights are linked to a lot of other issues that are not narrow, technical questions of gun regulation.”

This, perhaps, is one of the reasons the NRA has done such a good job of achieving its mission: By describing gun rights as foundational to the nation and liberty through the Second Amendment, it elevated guns and related issues into a cultural and political identity that went
beyond the legal technicalities of gun control. That made guns feel crucial to the soul of America, and many on the right embraced the new perspective.

**How the NRA shifted the conversation**

From the late '70s on, it became increasingly difficult to pass federal gun laws. Some measures, like the Firearm Owners’ Protection Act of 1986 and the Brady Handgun Violence Prevention Act, still made it through. But these policies faced much stiffer opposition than they would have in the past, as now-common arguments over self-defense, the ability to use firearms to stand for liberty in the face of tyranny, and the futility of gun control began to spread.

And, crucially, the NRA worked to push the idea that the Second Amendment protects individual rights, giving constitutional firepower to supporters of gun rights.

This caught on. Before 1970, Bogus wrote, “a total of three [law review journal] articles endorsed the individual right model and twenty-two subscribed to the collective right view.” He added, “From 1970 to 1989, twenty-five articles adhering to the collective right view were published (nothing unusual there), but so were twenty-seven articles endorsing the individual right model.” At least 16 of the individual rights model articles “were written by lawyers who had been directly employed by or represented the NRA or other gun rights organizations, although they did not always so identify themselves in the author’s footnote.”

Congress got in on the action. In 1982, the Senate Subcommittee on the Constitution, led by Sen. Orrin Hatch (R-UT), issued a report, “The Right to Keep and Bear Arms.” It argued, “What the Subcommittee on the Constitution uncovered was clear — and long lost — proof that the second amendment to our Constitution was intended as an individual right of the American citizen to keep and carry arms in a peaceful manner, for protection of himself, his family, and his freedoms.”

Then came “The Embarrassing Second Amendment,” a landmark article by Sanford Levinson. The article itself didn’t make a new argument or explicitly take a side in the collective versus individual rights debate, but it was notable because the author — a well-known liberal scholar — urged readers to take the individual rights model of the Second Amendment seriously, giving the idea more credibility. It was a huge deal at the time, gaining coverage across media outlets and widespread promotion by gun rights groups.

The NRA stepped up its efforts in the '90s, helping fund a new group, Academics for the Second Amendment, and launching its annual “Stand Up for the Second Amendment” essay contest with a cash prize. According to Bogus, “At least fifty-eight law review articles endorsing the individual right view would be published during the 1990s (compared to twenty-nine favoring the collective right position).”

It can be easy to underestimate the impact of these kinds of journal articles. Many people may wonder who even reads law review journals. The answer, however, is legal scholars, lawyers,
judges, and politicians — and these people then permeate their ideas in popular media and in their day-to-day work. Over time, that can lead to a big shift in public opinion and policy.

Public polling certainly suggests that’s what happened: In 1959, when Gallup asked if the law should ban handguns except for the police and other authorized persons, 60 percent of Americans said yes. By 1980, that had dropped to 38 percent. As of the latest survey, in 2016, it’s 23 percent.

It also led to a big shift in the Supreme Court — with the District of Columbia v. Heller decision in 2008. Before that, the Court had reviewed just three cases related to the Second Amendment, Bogus said, and those decisions took the view that it was about protecting states’ ability to maintain militias.

For example, the Supreme Court unanimously ruled in 1939’s United States v. Miller that Congress can ban sawed-off shotguns because that weapon was of no use in a well-regulated militia, making it clear that the right to bear arms was inseparable from the role of a militia.

Justice James McReynolds wrote in the majority opinion, “The Court cannot take judicial notice that a shotgun having a barrel less than 18 inches long has today any reasonable relation to the preservation or efficiency of a well regulated militia, and therefore cannot say that the Second Amendment guarantees to the citizen the right to keep and bear such a weapon.”

That changed with Heller, when Justice Antonin Scalia concluded in the Court’s opinion that “the Second Amendment conferred an individual right to keep and bear arms.”

Hollis-Brusky called this an example of “popular constitutionalism,” or “the concept that the meaning of the Constitution can develop outside the courts by political and popular movements.”

She explained: “Driven in large part by the National Rifle Association and its campaign to frame the Second Amendment as an individual right, coupled with its lobbying efforts and increased influence on Republican Party platforms and legislators, most Americans already believed that the Second Amendment was more robust in its guarantees and protections than the Supreme Court (or any court) had interpreted it to be for well over 100 years.”

So Republicans, to match shifting popular opinion, changed their platform to take on a more pro-gun view, and Republican presidents from Ronald Reagan on down appointed justices that reflected this perspective. That culminated in Heller, when there were, after years of efforts, five justices on the bench ready to cement the interpretation of the Second Amendment that had circulated in law journals and political discussions for decades.

Historians and experts point to other factors that also contributed to new views of the Second Amendment, including America’s historically high levels of gun ownership, the proliferation of cheaper guns, the rise of Jacksonian democracy and individualism, the replacement of militias with a professional army, and Reconstruction. But the change in the NRA’s public mission is the
one element that came up again and again in my discussions and readings — and seemed to have the biggest impact on modern history.

America’s gun debate is now totally warped — and unlikely to change

It took a cataclysmic event in a major advocacy organization’s history to help change how America views the Second Amendment and guns. It stands to reason, then, that it would take a similar event to cause another course change — one that could perhaps bring a harsher view toward gun rights.

The historians and experts I spoke to, however, are doubtful this tipping point will come anytime soon. After several years of horrific mass shootings, from Newtown to Orlando to Las Vegas, America’s views on guns have proven remarkably resilient. As Bogus told me, “If there had been a tipping point, the rivers of blood that have already been generated would have washed into that tipping point and we would have had it.”

One fundamental problem, it seems, is that there is no equivalent to the NRA on the other side. Several groups have tried, such as Everytown for Gun Safety and Americans for Responsible Solutions, but none have successfully matched the NRA’s influence. This has created a lopsided political debate, at least at the federal level.

This goes hand in hand with another problem: Although the majority of Americans, based on public polling, support various kinds of tougher regulations on guns (from universal background checks to a federal database for sales), the reality is that most people are not voting on this issue, with the economy and traditional national security concerns taking much more attention.

Those who are single-issue gun voters, meanwhile, tend to be on the right. There aren’t that many of these voters, but they tend to outnumber the people on the left who would be swayed to vote for candidates just because they back more gun control.

As Republican strategist Grover Norquist said in 2000, “The question is intensity versus preference. You can always get a certain percentage to say they are in favor of some gun controls. But are they going to vote on their ‘control’ position?” Probably not, Norquist suggested, “but for that 4-5 percent who care about guns, they will vote on this.”

What's behind that passion? Goss, who’s also a political scientist at Duke University, previously told me that it’s a sense of tangible loss — gun owners feel like the government is going to take their guns and rights. In comparison, gun control advocates are motivated by more abstract notions of reducing gun violence — although, Goss noted, the victims of mass shootings and their families have begun putting a face on these policies by engaging more actively in advocacy work, which could make the gun control movement feel more relatable.

That makes it much more difficult for someone on the left to run on gun control, while someone on the right is forced to run on gun rights to avoid a revolt from a passionate base in a primary election.
The one caveat is federalism. Although little has happened at the federal level, there has been some movement in the states. Washington state and Oregon, for instance, passed laws ensuring all guns have to go through background checks, including those sold between individuals (while other states, such as Kansas and Texas, have weakened gun restrictions).

This, however, isn’t a full policy solution to restricting access to firearms, because people can simply travel across state lines to get guns. We see this in the real world: Chicago has fairly tough gun laws, but Indiana does not, and other parts of Illinois have laxer rules. So it’s not uncommon for people to leave Chicago to buy guns, take them back to the city, and sell them to would-be criminals. A 2014 report from the Chicago Police Department found that nearly 60 percent of the guns at crime scenes that were recovered and traced between 2009 and 2013 came from outside the state, and about 19 percent came from Indiana — making it the most common state of origin for guns besides Illinois.

Only the federal government, with its jurisdiction between state borders, can really address this issue. But the experts I spoke to have told me they have little faith this will happen in the foreseeable future — after the NRA and others have shifted how Americans, including the courts, view the Second Amendment and gun rights.

As Cornell put it, “It’s going to take a lot more time and, unfortunately, a lot more carnage to make anything happen at the federal level.”
United States and Arizona Firearm Laws

An Overview of Gun Laws in the United States

Major Federal Gun Laws

National Firearms Act (NFA) 1934:
This is the first federal regulation of the manufacture and transfer of firearms. It imposed criminal and tax requirements on machine guns, silencers, and sawed-off shotguns.

Federal Firearms Act (FFA) 1938:
Regulated the interstate shipment of firearms and ammunition. It imposed a federal firearms license requirement on manufacturers, importers, and persons in the business of selling firearms, along with marking and record keeping requirements. Finally it prohibited the transfer of firearms to felons.

Gun Control Act of 1968 (GCA):
Regulated interstate and foreign commerce in firearms. It established a minimum age for firearms purchases and expanded the categories of prohibited persons.

Firearms Owners Protection Act (FOPA) 1986:
Limited the number of inspection that could be conducted by ATF at a dealer premises without a search warrant. It also prohibited the federal government from maintaining a central database of firearms dealer records.

Brady Handgun Violence Prevention Act (1993):
This act imposed a five day waiting period for law enforcement to review the background of a handgun purchaser before the dealer was allowed to complete the sale. This requirement has since been replaced with an instant check system.

Federal Assault Weapons Ban (1994-2004):
Banned 19 types, models, and series of assault weapons and any semi-automatic firearm with at least 2 specified military features and that also had the ability to accept a detachable magazine. This ban applied to transfers and possession of weapons that were manufactured after the effective date of the ban. This ban was not renewed by Congress and thus expired in 2004.

The Protection of Lawful Commerce in Arms Act (PLCAA) 2005 & Child Safety Lock Act (CSLA)
The PLCAA essentially provided the gun industry with immunity from most tort liability. The CLSA which was incorporated into this act made it unlawful for any licensed importer, manufacturer, or dealer to sell or transfer handguns unless the transferee is provided with a secure gun storage or safety device.
National Instant Criminal Background Check System Improvement Amendments Act (NCIS act) 2007:

This act provided financial incentives for states to provide NCIS information relevant to whether a person is prohibited from possessing a firearm including names and other relevant identifying information of persons adjudicated as mentally defective or committed to a mental institution. The act also changed the standard for persons adjudicated as mentally defective or committed to a mental institution.

Federal Age Requirements

Gun Possession: With limited expectations federal law prohibits the possession of a handgun or handgun ammunition by any person under the age of 18. However, there is no minimum age for the possession of long guns or long gun ammunition.

Minimum Age for Handgun Sales and Transfers: Dealer cannot sell or deliver a handgun or handgun ammunition to any person the dealer has reasonable cause to believe is under the age of 21. Unlicensed persons may not deliver, sell, or otherwise transfer a handgun or handgun ammunition to any person they known to be or have reason to believe is under the age of 18 with certain exceptions.

Minimum age for Long Gun (Rifle or Shotgun) Sales and Transfers: Dealers may not sell or deliver a long gun or ammunition for a long gun to any person the dealer known to be or has reason to believe is under the age of 18. However, an unlicensed person may sell, deliver, or otherwise transfer a long gun or long gun ammunition to a person of any age.

Exceptions to Age Requirements: Federal law provides exceptions for the temporary transfer and possession of handguns and handgun ammunition for special activities, including employment, ranching, farming, target practice, and hunting.

Federal Categories of Prohibited People

The federal Gun Control Act of 1968 generally prohibits the sale of firearms to any person who:

- Has been convicted of, or is under indictment for a crime punishable by imprisonment for more than one year
- Is a fugitive from justice
- Is an unlawful user of or addicted to a controlled substance
- Is underage
- Has been adjudicated as mentally defective or committed to a mental institution
- Is unlawfully in the United States or has been admitted to the U.S. under a nonimmigrant visa
- Has been dishonorably discharged from the military
- Has renounced his or her U.S. citizenship
• Is the subject to a court order restraining him or her from harassing, stalking or threatening an intimate partner, his or her child or child of a partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child

• Has been convicted or a misdemeanor offense of domestic violence
FEDERAL GUN LAWS 101

The Brady Handgun Violence Prevention Act, which went into full effect in 1998, requires federally licensed gun dealers to conduct background checks on purchasers through the FBI’s National Instant Criminal Background Check System (NICS).

But many people who sell guns are not federally required to be licensed or to conduct background checks. These unlicensed “private” sales occur online, at gun shows, and on the streets, making it all too easy for many legally ineligible and potentially dangerous people to obtain access to guns.

LOOPOLES PROTECT ABUSERS, STALKERS, AND TERRORISTS

The Gun Control Act of 1968 prohibits the possession of firearms or ammunition by certain categories of people, including convicted felons and certain severely mentally ill individuals.

In the 1990s, this law was updated to include people convicted of domestic violence misdemeanors and certain domestic abusers subject to protective orders.

Today, these laws still do not cover many stalkers, abusive dating partners, or people on the Terrorist Watchlist, meaning that these dangerous individuals can pass a background check.

Enacted in 2005, the Protection of Lawful Commerce in Arms Act provides the gun industry with broad immunity from civil lawsuits, an immunity no other industry enjoys.

ATF RESOURCES
Gun manufacturers, dealers, and importers are licensed by the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF). ATF has very limited resources and is hamstrung by riders that limit its authority.

STATE LAWS
States are generally allowed to enact their own gun laws, which can be stronger than federal law. However, a 1986 federal law protects gun owners who transport unloaded guns across state lines if they’re properly locked.

NATIONAL FIREARMS ACT
The National Firearms Act of 1934 requires machine guns, silencers, and certain other weapons to be registered with ATF. Most firearms are not subject to this requirement.

1/2 Over half of gun homicide victims are black men, yet federal funding for urban violence intervention and prevention programs remains scarce.
The Story of Federal Gun Laws Is a Story about Compromises and Loopholes

Every major gun safety law results from relentless lobbying on every side. For example, gun safety advocates successfully urged Congress to enact a federal ban on assault weapons and large capacity magazines in 1994, but a 10-year sunset provision was included in the final version due to efforts by the gun lobby. That law expired in 2004, and there is currently no ban on these weapons.

RECORDS IN THE BACKGROUND CHECK SYSTEM

The NICS Improvement Amendments Act (NIAA) of 2007 was enacted in response to the mass shooting at Virginia Tech, which involved incomplete information about the shooter in NICS, the federal background checks system. The NIAA requires federal agencies, such as the Veterans Administration and the Department of Defense, to report to NICS and provides funding incentives for state reporting to these databases. To receive this funding, states must allow people who have recovered from mental illness to regain their gun eligibility. Federal agencies that report to NICS must also create these “relief from disability” programs.

OBSCTULES TO FIGHTING GUN TRAFFICKING

Gun manufacturers and importers must ensure that guns have serial numbers, and manufacturers, dealers, and importers must maintain records of sales. But there is no federal gun trafficking statute. The federal government is even prohibited from centralizing firearm sales records, making it difficult for ATF’s National Tracing Center to accurately trace crime guns. Crime guns are often obtained through “straw purchases,” in which someone falsely claims to be the purchaser of a gun, when in fact buying a gun for someone else. Straw purchasers often claim that their guns were lost or stolen to hide their involvement in this crime. Federal law requires manufacturers, importers, and dealers, but not gun owners, to report if guns are lost or stolen.

The Gun Industry, Gun Locks, and Gun Safety

- Licensed dealers must report multiple sales of handguns to ATF, but there is no nationwide limit on the number of firearms a person can buy at one time.
- Gun dealers must provide locking devices to handgun purchasers, but there are no federal design safety standards regarding firearms, gun locks, or gun safes.
- Federal law does NOT require gun owners to safely store their guns, even if children are present.
- Ammunition sellers are unregulated and don’t even have to keep records of their sales.
- The federal Gun Free School Zones Act prohibits the possession of guns in a school zone, unless the person is licensed to do so by the state.

For more details visit lawcenter.giffords.org/key-federal-acts

giffordslawcenter.org

FACEBOOK /Giffords TWITTER @GiffordsCourage

210+
new gun safety laws have been enacted in 45 states and DC since the tragedy at Sandy Hook.

115,000
Americans are shot each year—over 1 million in the past decade.

25x
Americans are 25 times more likely to be killed by a gun than people in other developed nations.

WE’RE ON A MISSION TO SAVE LIVES

For nearly 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence. Founded in the wake of a 1993 mass shooting in San Francisco, in 2018 the Law Center joined with former Congresswoman Gabrielle Giffords to form a courageous new force for gun safety that stretches coast to coast.

CONTACT US
media@giffords.org
An Overview of Gun Laws in Arizona

Arizona is a shall issue state

“Shall-issue refers to licensing standard that require state authorities to grant permits to carry firearms in public to any individual that meets a very minimum standard. Shall issues is sometimes referred to as “right to carry” or RTC. In Arizona the standards are the individual must be an Arizona resident or United States citizen; is age 21 or older; is not under indictment for and has not been convicted in any jurisdiction of a felony; does not suffer from mental illness and has not been adjudicated mentally incompetent or committed to a mental institution; is not unlawfully present un the United States; and satisfactorily demonstrates competence with a firearm.

Reciprocity (A.R.S. § 13-3122)

Arizona recognizes concealed weapon, firearm, or handgun permits or licenses issued by other states if the permit or license is recognized as valid in the issuing state and the permit or license holder is legally present in Arizona and is not legally prohibited from possessing a firearm in Arizona. The person from another state may not carry a concealed weapon in Arizona if the person is under the age of 21, is under an indictment for or has been convicted of a felony in any jurisdiction unless the conviction has been expunged, set aside or vacated or the person’s rights have been restored.


TABLE 1: Arizona Gun Laws Summary

<table>
<thead>
<tr>
<th>Law/ Policy</th>
<th>AZ Has a Law</th>
<th>ARS</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault Weapons</td>
<td>No</td>
<td>N/A</td>
<td>There is no law restricting assault weapons.</td>
</tr>
<tr>
<td>Background checks for ammunition</td>
<td>No</td>
<td>N/A</td>
<td>There is no background check required for purchasing ammunition. Arizona also does not require a license for the sale, purchase or possession of ammunition.</td>
</tr>
<tr>
<td>Background check for private sale of firearms</td>
<td>No</td>
<td>N/A</td>
<td>There is no requirement for private sellers to initiate a background check.</td>
</tr>
<tr>
<td>Category</td>
<td>Requirement</td>
<td>Law</td>
<td>Description</td>
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<tr>
<td>Carry Permit Requirement</td>
<td>No</td>
<td>N/A</td>
<td>Any individual aged 21 or older is allowed to carry a firearm concealed on his or her person in public without a license of permit.</td>
</tr>
<tr>
<td>Child-Access Prevention Laws</td>
<td>Yes</td>
<td>Arizona Administrative Code Article 50.</td>
<td>In order to be listed in an Arizona child care resource and referral system an unlicensed child care provider must separately store firearms and ammunition under lock and key or combination lock.</td>
</tr>
<tr>
<td>Dealer Regulations</td>
<td>No</td>
<td>N/A</td>
<td>There is no law requiring firearms dealers to obtain a state license. Firearms dealers are only subject to state laws governing gun sales generally.</td>
</tr>
<tr>
<td>Design Safety</td>
<td>No</td>
<td>N/A</td>
<td>Arizona does not impose any design safety standards on handguns.</td>
</tr>
<tr>
<td>Disarming Prohibited Persons</td>
<td>Yes/No</td>
<td>A.R.S. § 13-3624</td>
<td>Arizona has no law requiring the disarmament of persons prohibited from possessing firearms except when a court issues an eligible domestic protective order.</td>
</tr>
<tr>
<td>Domestic Violence &amp; Firearms</td>
<td>Yes</td>
<td>A.R.S. § 13-3105 &amp; 13-3624</td>
<td>Possession of a firearm by a person convicted of a domestic violence offense is prohibited while the person is serving a term of probation for that conviction. A court may also prohibit the defendant from possessing or purchasing a firearm when a protective order is issued and the prohibition is only for the duration of the protective order. If a final domestic violence protective order is issues the defendant must immediately transfer any firearm</td>
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</tr>
<tr>
<td><strong>Fifty Caliber Rifles</strong></td>
<td>No</td>
<td>N/A</td>
<td>There is no law restricting fifty caliber rifles.</td>
</tr>
<tr>
<td><strong>Gun in bars and restaurants</strong></td>
<td>Yes</td>
<td>A.R.S. § 4-229(A)</td>
<td>A person may carry a concealed handgun on the premise of a bar or restaurant licensed to serve alcohol unless the licensee posts a sign that clearly prohibits the possession of weapons on the licensed premises.</td>
</tr>
<tr>
<td><strong>Guns on buses and forms of public transportation</strong></td>
<td>Yes</td>
<td>A.R.S. § 13-3102</td>
<td>The 2010 law regarding the concealed carrying of weapons eliminated the requirement of a concealed weapons permit for a person who carries a concealed weapon within his or her immediate control in or on a means of transportation in Arizona.</td>
</tr>
<tr>
<td><strong>Guns on college campuses</strong></td>
<td>Yes</td>
<td>Not an A.R.S.</td>
<td>Arizona administrative regulations govern the possession of firearms on the grounds of state colleges and universities.</td>
</tr>
<tr>
<td><strong>Guns in parks</strong></td>
<td>Yes</td>
<td>A.R.S. § 13-3102</td>
<td>Individuals may carry guns in state parks, state national forests, state wildlife management areas, and roadside rest areas.</td>
</tr>
</tbody>
</table>
| **Guns in school** | Yes  | A.R.S § 13-3102 | The possession of a firearm is prohibited on the grounds of any public or nonpublic kindergarten program, common school or high school except for use in a program approved by the school and executed by a person who is authorized by the state to carry a firearm. Private schools may allow

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59
concealed carry permit holders or others to carry firearms on school grounds.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Requirement</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gun Shows</td>
<td>No</td>
<td>N/A</td>
<td>There are no laws regulating gun shows.</td>
</tr>
<tr>
<td>Immunity Statutes</td>
<td>Yes</td>
<td>A.R.S. § 12-714</td>
<td>Arizona prohibits political subdivisions of the State from bringing civil actions for damages against manufacturers or sellers of non-defective firearms of component part of firearms or ammunition when the civil action results from the criminal or unlawful misuse of such products by a third party.</td>
</tr>
<tr>
<td>Licensing of Gun Owners and Purchasers</td>
<td>No</td>
<td>N/A</td>
<td>There is no law requiring owners or purchasers to obtain a license.</td>
</tr>
<tr>
<td>Locking Devices</td>
<td>No</td>
<td>N/A</td>
<td>Arizona does not require locking devices to be included with each firearm sold; however, the federal law that does takes precedence in this case. There is also no law requiring firearm owners to utilize locking devices.</td>
</tr>
<tr>
<td>Machine Gun</td>
<td>Yes</td>
<td>A.R.S. § 13-3101</td>
<td>Machine guns are included in the definition of prohibited weapons which preclude them from being manufactured, possessed, transported, sold, or transferred. This rule does not apply if the machine gun is in compliance with the federal law.</td>
</tr>
<tr>
<td>Magazine Capacity Restriction</td>
<td>No</td>
<td>N/A</td>
<td>Arizona has no law restricting large capacity magazines.</td>
</tr>
<tr>
<td></td>
<td>Yes/No</td>
<td>Code</td>
<td>Description</td>
</tr>
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<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Microstamping and Ballistic Identification</td>
<td>No</td>
<td>N/A</td>
<td>There is no law regarding firearm microstamping or ballistic identification.</td>
</tr>
<tr>
<td>Multiple Purchase and Sale</td>
<td>No</td>
<td>N/A</td>
<td>There is no law restricting sales or purchases of multiple firearms.</td>
</tr>
<tr>
<td>Non-Powder Guns</td>
<td>No</td>
<td>N/A</td>
<td>There is no law restricting non-powder guns.</td>
</tr>
<tr>
<td>Open Carry</td>
<td>Yes</td>
<td>A.R.S. § 13-421</td>
<td>There is no prohibition on the open carry of firearms in public. In 2009 Arizona enacted a law that explicitly authorized the “defensive display of firearms in certain situations.</td>
</tr>
<tr>
<td>Registration of Firearms</td>
<td>No</td>
<td>N/A</td>
<td>There is no law requiring firearms to be registered.</td>
</tr>
<tr>
<td>Reporting Lost or Stolen Firearms</td>
<td>No</td>
<td>N/A</td>
<td>There is no law requiring firearm owners to report the loss or theft of a firearm.</td>
</tr>
<tr>
<td>Trafficking</td>
<td>Yes</td>
<td>A.R.S. § 13-3102</td>
<td>In 2012 Arizona adopted a law penalizing knowingly trafficking in weapons or explosives for financial gain in order to assist, promote, or further the interests of a criminal street gang, criminal syndicate or racketeering enterprise.</td>
</tr>
<tr>
<td>Waiting Period</td>
<td>No</td>
<td>N/A</td>
<td>There is no law imposing a waiting period prior to purchase of a firearm.</td>
</tr>
</tbody>
</table>

*Mental Health Reporting (A.R.S. § 13-3105)*

Arizona requires courts to transmit information to the Supreme Court of Arizona which then transmits the information to the Department of Public safety which in turn sends information to NCIS when the court engages in certain actions. This includes finding a person incompetent, or subsequently competent, or guilty except insane. When the court appoints a guardian for an
adult, except when the appointment of a guardian is due solely to the person’s physical capacity and subsequently report when it terminated guardianship. The court must report when it finds a person to constitute a danger to self or others. The final reporting requirement is engaged if the person is persistently or acutely disabled or gravely disabled as a result of a mental disorder and the court enters an order or inpatient or outpatient treatment.

Vehicle Transportation (A.R.S. § 13-3102)

A person does not need to have a concealed weapons permit to carry a concealed weapon within his or her immediate control in or on a means of transportation. The person must be age 21 or older and the person must accurately answer if a peace officer, who is detaining the person based on reasonable suspicion of an offense asks whether he or she is carrying a concealed weapon. This does not apply however if the weapon is carried in a case, holster, scabbard, pack or luggage that is carried within a means of transportation or within a storage compartment, map pocket, trunk, or glove compartment of a means of transportation. Furthermore a property owner, tenant, public or private employer or business entity may not establish, maintain, or enforce a policy or rule that prohibits lawfully transporting or storing a firearm in a locked motor vehicle or in a locked compartment on a motorcycle so long as the firearm is not visible from the outside.

Preemption (A.R.S. § 13-3118 & 13-3108)

The first statute 13-3118 states that “except for the legislature, this state and any agency or political subdivision of this state shall not enact or implement any law, rule, or ordinance relating to the possession, transfer or storage of firearms other than as provided in statute.” The second statute 13-3108 provides what can and can not be enacted in political subdivisions as detailed below.

Political Subdivision are permitted to enact or enforce firearms regulations that:

- Impose privilege and use taxes on the retail sale, lease or rental of firearms or ammunition at the same tax rate applicable to the purchase of other personal property.
- Require that a minor who knowingly possesses or carries a firearm in a public place or on private property be accompanied by a parent, grandparent, guardian, or certified hunter of firearms safety instructor acting with the consent of parent, grandparent, or guardian.
- Relate to the regulation of commercial land and structure, including firearms or ammunition businesses or commercial shooting ranges in the same manner as other commercial businesses
- Regulate employees or independent contractors of the political subdivision who are acting within the course and scope of their employment or contract.
- Limit or prohibit the discharge of firearms in certain parks and preserves.

Political Subdivision are not permitted to:
• Enact any ordinance, rule, or tax relating to the transportation, possession, carrying, sale, transfer, purchase, acquisition, gift, devise, storage, licensing, registration, discharge or use of firearms or ammunition or any firearm or ammunition components or related accessories in this state.

• Require the licensing or registration of firearms or ammunition or any firearm or ammunition components or related accessories or prohibited ownership, purchase, sale, or transfer of firearms or ammunition or any firearm or ammunition components or related accessories.

• Require or maintain a record in any form, whether permanent or temporary, including a list, log, or database of any of the following:
  ○ Any identifying information of a person who leaves a weapon in temporary storage at any public establishment or public event.
  ○ Except in the course of a law enforcement investigation, any identifying information of a person who owns, possesses, sells, or transfer a firearm.
  ○ The description, including the serial number of a weapon that is left in temporary storage at any public establishment or public event.

• Enact any rule or ordinance that relates to firearms and is more prohibitive than or that has a penalty greater than any state law penalty.

• Enact any ordinance, rule, or regulation limiting the lawful taking of wildlife during an open season established by the Arizona game and fish commission.

• Facilitate the destruction of a firearm or purchase or otherwise acquire a firearm for the purpose of destroying a firearm.


Arizona prohibits a person from knowingly possessing a firearm if the person:

• Has been convicted of a felony or who has been adjudicated delinquent for a felony and whose civil right to possess or carry a firearm has not been restored.

• Is at the time of possession serving a term of imprisonment in any correctional detention facility

• Is at the time of possession serving a term of probation pursuant to a conviction for a domestic violence offense or a felony offense, parole, community supervision, work furlough, home arrest or release on any basis

• Is an undocumented alien or a nonimmigrant alien traveling with or without documentation in this state for business or pleasure or who is studying in this state who maintain a foreign residence abroad subject to certain exceptions.

• Has been found to constitute a danger to himself or herself or others or to be persistently or acutely disabled or gravely disabled pursuant to court order, and whose right to possess a firearm has not been restored.

• Has been found incopentent and not subsequently found competent

• Has been found guilty except insane
Arizona also prohibits any person who was previously adjudicated delinquent for an offense that would be a felony if committed by an adult from possessing, using, or carrying a firearm within ten years from the date of his or her adjudication or release or escape from custody. These offenses would include: burglary in the first or second degree, arson, any felony offense involving the use or threatening exhibition of a deadly weapon or dangerous instrument or a serious offense.
The Law Center to Prevent Gun Violence issues an annual “scorecard” of states’ gun laws. The scores are based on factors such as whether or not a state has expanded background checks, gun violence restraining orders, stand your ground laws, strong dispossession laws, and the state’s permitting process. In this graphic, it’s clear that states with stronger gun laws have lower rates of gun death.
ANNUAL GUN LAW SCORECARD

ARIZONA

Every year, the experts at Giffords Law Center grade all 50 states on the strength of their gun laws. And every year, we find an undeniable correlation: states with strong gun safety laws have fewer average gun deaths than states with weak laws. Simply put, gun laws are saving lives.

STATE RANKINGS
The majority of states with weak gun laws have higher gun death rates than average. Here's how this state ranks:

47
GUN LAW STRENGTH
OF 50 STATES

16
GUN DEATH RATE
OF 50 STATES

WAYS TO RAISE YOUR STATE'S GRADE
Arizona enacted no notable gun laws in 2017, and in 2016 the state exported crime guns at a rate higher than 44 other states. Arizona could raise its grade in a number of ways, including by requiring people to pass a background check and obtain a license to carry a hidden, loaded gun in public, banning large-capacity magazines, and requiring safe storage of guns.

Learn more about Arizona's gun laws at lawcenter.giffords.org/AZ

KEY GUN POLICY CHECKLIST

〇 BACKGROUND CHECKS
〇 CHILD ACCESS PREVENTION
〇 CONCEALED CARRY PERMITTING
〇 DOMESTIC VIOLENCE
〇 EXTREME RISK PROTECTION ORDER
〇 MILITARY-STYLE WEAPONS
〇 MO LAW ○ PARTIAL LAW ○ STRONG LAW

Visit gunlawscorecard.org for more on these focusing policies.

STATES WITH WEAKER GUN LAWS HAVE HIGHER GUN DEATH RATES
Gun death rates per 100,000 people, in order of state gun law strength

NATIONAL AVERAGE: 11.7 PER 100K

SOURCE: Gun deaths data from author/CDC; GUNLAW. Other data gathered from AT对你 personally relevant.

SEE HOW ALL 50 STATES' GUN LAWS RANK

For nearly 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence.

TWITTER @GiffordsCourage  FACEBOOK /Giffords

ABCDGF
Key Academic Research on Violence and Gun Policy


Abstract

This paper uses more complete state panel data (through 2014) and new statistical techniques to estimate the impact on violent crime when states adopt right-to-carry (RTC) concealed handgun laws. Our preferred panel data regression specification, unlike the statistical model of Lott and Mustard that had previously been offered as evidence of crime-reducing RTC laws, both satisfies the parallel trends assumption and generates statistically significant estimates showing RTC laws increase overall violent crime. Our synthetic control approach also strongly confirms that RTC laws are associated with 13-15 percent higher aggregate violent crime rates ten years after adoption. Using a consensus estimate of the elasticity of crime with respect to incarceration of 0.15, the average RTC state would need to roughly double its prison population to offset the increase in violent crime caused by RTC adoption.


Abstract

The purpose of the present study is to determine the effects of child access prevention (CAP) laws and minimum age laws on state-level youth firearm-related suicide rates and unintentional death rates. This is one of the few studies that focuses on youth death rates and looks at laws that have the most impact on youth suicides and unintentional deaths. Although state laws appear mixed in their effects on youth deaths by firearms, federal minimum age possession laws appear to be effective in reducing both suicides and unintentional deaths among youths. The aim of the present study is to quantify the association between child access prevention (CAP) and minimum age laws and state-level youth firearm-related suicide and unintentional death rates. This paper differs from prior research in several ways. First, this is one of the few studies to focus exclusively on youth death rates. Second, this study looks at those laws with the most impact on youth suicides and unintentional deaths. Finally, this study uses one of the largest and most recent data sets of any study on this topic. In order to estimate the determinants of youth firearm deaths, a fixed effects regression model, controlling for both state-level and year-specific effects, is used. Results indicate that state-level minimum age laws have no significant effects on either youth suicides or unintentional deaths and that state-level CAP laws have no significant effects on unintentional deaths. States with CAP laws, however, have lower rates of youth suicide, and,

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2 Article are available upon request.
after the enactment of the Federal minimum age requirement, both youth suicide and unintentional death rates fell. Given the mixed results regarding state-level juvenile firearm laws, national restrictions on juvenile handgun possession may be more effective in reducing both youth suicides and unintentional deaths than state-level regulations.


**Abstract**

State-level child access prevention (CAP) laws impose criminal liability on adults who negligently allow children access to firearms. The CAP laws can be further divided into strong CAP laws which impose criminal liability for negligently stored firearms and weak CAP laws that prohibit adults from intentionally, knowingly, and/or recklessly providing firearms to a minor. We hypothesized that strong CAP laws would be associated with a greater reduction in pediatric firearm injuries than weak CAP laws. We constructed a cross-sectional national study using the Healthcare Cost and Utilization Project-Kids Inpatient Database from 2006 and 2009 using weighted counts of firearm-related admissions among children younger than 18 years. Poisson regression was used to estimate the association of CAP laws with pediatric firearm injuries. After adjusting for race, sex, age, and socioeconomic income quartile, strong CAP laws were associated with a significant reduction in all (incidence rate ratio, 0.70; 95% confidence interval, 0.52–0.93), self-inflicted (incidence rate ratio, 0.46; 95% confidence interval, 0.26–0.79), and unintentional (incidence rate ratio, 0.56; 95% confidence interval, 0.43–0.74) pediatric firearm injuries. Weak CAP laws, which only impose liability for reckless endangerment, were associated with an increased risk of all pediatric firearm injuries. The association of CAP laws on hospitalizations for pediatric firearm injuries differed greatly depending on whether a state had adopted a strong CAP law or a weak CAP law. Implementation of strong CAP laws by each state, which require safe storage of firearms, has the potential to significantly reduce pediatric firearm injuries.


**Abstract**

It is frequently assumed that safe-storage gun laws reduce accidental gun deaths and total suicides, while the possible impact on crime rates is ignored. This study finds no support that safe-storage laws reduce either juvenile accidental gun deaths or suicides. Instead, these storage requirements appear to impair people's ability to use guns defensively. Because accidental shooters also tend to be the ones most likely to violate the new law, safe-storage laws increase
violent and property crimes against law-abiding citizens with no observable offsetting benefit in terms of reduced accidents or suicides.


*Abstract*

In 1996, Congress expanded the federal Gun Control Act (GCA) to prohibit defendants convicted of a qualifying domestic violence misdemeanor from possessing or purchasing a firearm. Using the FBI's Supplementary Homicide Reports along with homicide data collected from selected state law enforcement agencies, I investigate if this expansion was successful in reducing homicides among the target groups. I use variation from a legal loophole and a series of circuit court decisions to generate difference-in-differences estimates. I find evidence that the GCA expansion led to 17 percent fewer gun-related homicides among female intimate partner victims and 31 percent fewer gun homicides among male domestic child victims. The law also has protective benefits for those that were not targeted by the legislation. “Other” family members (parents and siblings) also experience a 24 percent reduction in gun homicides. I find no evidence that reductions in gun homicides were offset by an increase in nongun homicides. While most falsification and robustness tests support the above conclusions, some tests suggest caution when interpreting the results and a need for further research.


*Abstract*

To determine if any of five different state gun laws were associated with firearm mortality: (1) “shall issue” laws permitting an individual to carry a concealed weapon unless restricted by another statute; (2) a minimum age of 21 years for handgun purchase; (3) a minimum age of 21 years for private handgun possession; (4) one gun a month laws which restrict handgun purchase frequency; and (5) junk gun laws which ban the sale of certain cheaply constructed handguns.
Abstract

Firearm control laws vary across the United States and remain state specific. The aim of this study was to determine the relationship between variation in states’ firearm control laws and the risk of firearm-related injuries in the pediatric population. We hypothesized that strict firearm control laws impact the incidence of pediatric firearm injury. All patients with trauma Ecodes and those 18 years or younger were identified from the 2009 Nationwide Inpatient Sample. Individual states’ firearm control laws were evaluated and scored based on background checks on firearm sales, permit requirements, assault weapon and large-capacity magazine ban, mandatory child safety lock requirements, and regulations regarding firearms in college and workplaces. States were then dichotomized into strict firearm laws (SFLs) and non–strict firearm laws (non-SFLs) state based on median total score. The primary outcome measure was incidence of firearm injury. Data were compared between the two groups using simple linear regression analysis. A total of 60,224 pediatric patients with trauma-related injuries across 44 states were included. Thirty-three states were categorized as non-SFL and 11 as SFL. Two hundred eighty-six (0.5%) had firearm injuries, of which 31 were self-inflicted. Mean firearm injury rates per 1,000 trauma patients was higher in the non-SFL states (mean [SD]: SFL, 2.2 [1.6]; non-SFL, 5.9 [5.6]; p = 0.001). Being in a non-SFL state increased the mean firearm injury rate by 3.75 (β coefficient, 3.75; 95% confidence interval, 0.25–7.25; p = 0.036). Children living in states with strict firearm legislation are safer. Efforts to improve and standardize national firearm control laws are warranted.


Abstract

Firearms account for a substantial proportion of external causes of death, injury, and disability across the world. Legislation to regulate firearms has often been passed with the intent of reducing problems related to their use. However, lack of clarity around which interventions are effective remains a major challenge for policy development. Aiming to meet this challenge, we systematically reviewed studies exploring the associations between firearm-related laws and firearm homicides, suicides, and unintentional injuries/deaths. We restricted our search to studies published from 1950 to 2014. Evidence from 130 studies in 10 countries suggests that in certain nations the simultaneous implementation of laws targeting multiple firearms restrictions is associated with reductions in firearm deaths. Laws restricting the purchase of (e.g., background checks) and access to (e.g., safer storage) firearms are also associated with lower rates of
intimate partner homicides and firearm unintentional deaths in children, respectively. Limitations of studies include challenges inherent to their ecological design, their execution, and the lack of robustness of findings to model specifications. High quality research on the association between the implementation or repeal of firearm legislation (rather than the evaluation of existing laws) and firearm injuries would lead to a better understanding of what interventions are likely to work given local contexts. This information is key to move this field forward and for the development of effective policies that may counteract the burden that firearm injuries pose on populations.


Abstract

To examine the relation of "shall-issue" laws, in which permits must be issued if requisite criteria are met; "may-issue" laws, which give law enforcement officials wide discretion over whether to issue concealed firearm carry permits or not; and homicide rates. We compared homicide rates in shall-issue and may-issue states and total, firearm, non-firearm, handgun, and long-gun homicide rates in all 50 states during the 25-year period of 1991 to 2015. We included year and state fixed effects and numerous state-level factors in the analysis. Shall-issue laws were significantly associated with 6.5% higher total homicide rates, 8.6% higher firearm homicide rates, and 10.6% higher handgun homicide rates, but were not significantly associated with long-gun or non-firearm homicide. Shall-issue laws are associated with significantly higher rates of total, firearm-related, and handgun-related homicide.


Abstract

This article summarizes and critiques available evidence from studies published between 1999 and August 2014 on the effects of policies designed to keep firearms from high-risk individuals in the United States. Some prohibitions for high-risk individuals (e.g., those under domestic violence restraining orders, violent misdemeanants) and procedures for checking for more types of prohibiting conditions are associated with lower rates of violence. Certain laws intended to prevent prohibited persons from accessing firearms rigorous permit-to-purchase, comprehensive background checks, strong regulation and oversight of gun dealers, and requiring gun owners to promptly report lost or stolen firearms are negatively associated with the diversion of guns to criminals. Future research is needed to examine whether these laws curtail nonlethal gun
violence and whether the effects of expanding prohibiting conditions for firearm possession are modified by the presence of policies to prevent diversion.


**Abstract**

An abstract of a study by Xuan et al that examines the association between state gun law environment and youth gun carrying in the US, and determines whether adult gun ownership mediates this association is presented. More restrictive overall gun control policies are associated with a reduced likelihood of youth gun carrying. These findings are relevant to gun policy debates about the critical importance of strengthening overall gun law environment to prevent youth gun carrying.
Gun Violence in Arizona

Overview of Gun Violence in Arizona

Arizona has 340,540 active gun permits. Maricopa county has the largest number of permits with 115,638 whereas Greenlee county has the smallest number of permit holds with only 192. For both males and females Whites had the highest number of permits across all age groups. Across all age groups and races males held more permits than females. White males age 60-69 had were the group who held the most permits with 59,811 individuals in this category.

Firearms deaths accounted for from 14 percent to 24 percent of all intend deaths. Arizona’s crude death rate for all intents committed with a firearm are consistently higher than the U.S. crude death rate for all intents with a firearm. The U.S. crude death rate all intents firearms only ranges from 10.35 per 100,000 to a high of 12.21 per 100,000. In comparison Arizona’s crude death rate for firearms only ranges from 13.82 per 100,000 to 16.16 per 100,000. For both the U.S. and Arizona the highest crude death rate for all intents occurred in 2017. Homicides committed with a firearm account for the vast majority of all homicide deaths. Firearm homicide deaths account for 64 percent to 72 percent of all homicides. The Arizona and the U.S. Crude Death rates for homicide only are relatively close to each other. For instance in 2017 the Arizona crude death rate for homicide firearms only was 4.24 per 100,000 compared to the U.S. rate of 4.46 per 100,000. For female homicide victims over the years a large percentage of women were killed by men ranging from 62 percent to 89 percent. For all years more than 50 percent of women know their killer and in most years the percentage of women killed with a gun was around 50 percent. Firearms constantly account for more than 50 percent of all suicide deaths in Arizona. Similar to all intent crude death rates, the Arizona crude death rate for suicides committed with a firearm is always higher than the rate for the U.S. The largest crude death rate for suicide in Arizona was 11.29 per 100,000 compared to the largest crude death rate for the U.S. as a whole of 7.32 per 100,000 both of which occurred in 2017.

Movahace, Yavapai, and La Pez counties all fall into the category with the largest death rate per 100,000 for all intent firearms deaths. Whereas the highest firearm crude death rates for homicide only occurred in Pima and Apache counties. The counties with the highest crude death rates for suicides with firearms were the same as the countries for all intent deaths. Yuma county consistently fell into the category with the lowest crude death rates for all three categories. When considering costs related to healthcare, law enforcement, criminal justice expenses, cost to employers, and lost income gun violence account for $1.9 billion per year.
Arizona Data

Permit Holder Data

The numbers in this section are from the Arizona Department of Public Safety and reflect all transactions and the current status of permits. The data in this section span from the inception of the CCW program in Arizona on September 8, 1994 to the most recent update March 3, 2019. These numbers do not reflect changes such as a permit that was suspended and later reinstated.

**TABLE 2: Permit Classification**

<table>
<thead>
<tr>
<th></th>
<th>Active</th>
<th>Suspended</th>
<th>Revoked</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits</td>
<td>340,540</td>
<td>4,471</td>
<td>1,223</td>
</tr>
</tbody>
</table>

**TABLE 3: Total Permits by County**

<table>
<thead>
<tr>
<th>County</th>
<th>Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apache</td>
<td>1,211</td>
</tr>
<tr>
<td>Cochise</td>
<td>7,261</td>
</tr>
<tr>
<td>Coconino</td>
<td>4,429</td>
</tr>
<tr>
<td>Gila</td>
<td>2,777</td>
</tr>
<tr>
<td>Graham</td>
<td>846</td>
</tr>
<tr>
<td>Greenlee</td>
<td>192</td>
</tr>
<tr>
<td>Maricopa</td>
<td>115,638</td>
</tr>
<tr>
<td>Mohave</td>
<td>15,906</td>
</tr>
<tr>
<td>Navajo</td>
<td>3,352</td>
</tr>
<tr>
<td>Pima</td>
<td>28,596</td>
</tr>
<tr>
<td>Pinal</td>
<td>13,192</td>
</tr>
<tr>
<td>Santa Cruz</td>
<td>791</td>
</tr>
<tr>
<td></td>
<td>Yavapai</td>
</tr>
<tr>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td></td>
<td>15,033</td>
</tr>
<tr>
<td>Yuma</td>
<td>5,413</td>
</tr>
<tr>
<td>La Paz</td>
<td>1,217</td>
</tr>
</tbody>
</table>

**TABLE 4: Permits by Age, Race, Female**

<table>
<thead>
<tr>
<th>Permits</th>
<th>19-20</th>
<th>21-29</th>
<th>30-39</th>
<th>40-49</th>
<th>50-59</th>
<th>60-69</th>
<th>70-79</th>
<th>80+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian</td>
<td>0</td>
<td>127</td>
<td>377</td>
<td>486</td>
<td>402</td>
<td>227</td>
<td>69</td>
<td>7</td>
</tr>
<tr>
<td>Black</td>
<td>0</td>
<td>150</td>
<td>366</td>
<td>506</td>
<td>443</td>
<td>267</td>
<td>89</td>
<td>6</td>
</tr>
<tr>
<td>Indian</td>
<td>0</td>
<td>87</td>
<td>176</td>
<td>186</td>
<td>231</td>
<td>163</td>
<td>87</td>
<td>10</td>
</tr>
<tr>
<td>Unknown</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>3</td>
<td>4,174</td>
<td>8,234</td>
<td>11,194</td>
<td>17,520</td>
<td>19,661</td>
<td>10,910</td>
<td>1,287</td>
</tr>
<tr>
<td>Female</td>
<td>2</td>
<td>4,538</td>
<td>9,153</td>
<td>12,372</td>
<td>18,596</td>
<td>20,318</td>
<td>11,156</td>
<td>1,310</td>
</tr>
<tr>
<td>Total</td>
<td>36</td>
<td>16,677</td>
<td>34,559</td>
<td>44,117</td>
<td>54,797</td>
<td>62,661</td>
<td>49,045</td>
<td>11,089</td>
</tr>
</tbody>
</table>

**TABLE 5: Permits by Age, Race, Male**

<table>
<thead>
<tr>
<th>Permits</th>
<th>19-20</th>
<th>21-29</th>
<th>30-39</th>
<th>40-49</th>
<th>50-59</th>
<th>60-69</th>
<th>70-79</th>
<th>80+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian</td>
<td>3</td>
<td>717</td>
<td>1,774</td>
<td>2,392</td>
<td>1,644</td>
<td>955</td>
<td>361</td>
<td>55</td>
</tr>
<tr>
<td>Black</td>
<td>3</td>
<td>788</td>
<td>1,705</td>
<td>2,217</td>
<td>2,114</td>
<td>1,428</td>
<td>652</td>
<td>109</td>
</tr>
<tr>
<td>Indian</td>
<td>0</td>
<td>243</td>
<td>461</td>
<td>488</td>
<td>503</td>
<td>467</td>
<td>301</td>
<td>71</td>
</tr>
<tr>
<td>Unknown</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>30</td>
<td>14,929</td>
<td>30,619</td>
<td>39,020</td>
<td>50,536</td>
<td>59,811</td>
<td>47,730</td>
<td>10,854</td>
</tr>
<tr>
<td>Male</td>
<td>36</td>
<td>16,677</td>
<td>34,559</td>
<td>44,117</td>
<td>54,797</td>
<td>62,661</td>
<td>49,045</td>
<td>11,089</td>
</tr>
</tbody>
</table>
Firearm Deaths – All Intents

Data below were gathered using the Center for Disease Control’s WISQARS fatal injury data visualization tool. The data in this section reflect gun deaths for all intents. All intent deaths here include homicides, suicides, legal interventions, and unintentional shootings.

**TABLE 6a: All Deaths in Arizona**

<table>
<thead>
<tr>
<th>Year</th>
<th>All Intent Deaths (All Weapons)</th>
<th>All Intent Deaths (Firearm Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>6,128</td>
<td>842 (14%)</td>
</tr>
<tr>
<td>2016</td>
<td>5,894</td>
<td>1,094 (19%)</td>
</tr>
<tr>
<td>2015</td>
<td>5,355</td>
<td>970 (18%)</td>
</tr>
<tr>
<td>2014</td>
<td>5,079</td>
<td>927 (18%)</td>
</tr>
<tr>
<td>2013</td>
<td>5,115</td>
<td>941 (18%)</td>
</tr>
<tr>
<td>2012</td>
<td>4,802</td>
<td>946 (20%)</td>
</tr>
<tr>
<td>2011</td>
<td>4,819</td>
<td>964 (20%)</td>
</tr>
<tr>
<td>2010</td>
<td>4,705</td>
<td>931 (20%)</td>
</tr>
<tr>
<td>2009</td>
<td>4,495</td>
<td>856 (19%)</td>
</tr>
<tr>
<td>2008</td>
<td>4,522</td>
<td>907 (20%)</td>
</tr>
<tr>
<td>2007</td>
<td>4,845</td>
<td>951 (20%)</td>
</tr>
<tr>
<td>2006</td>
<td>5,023</td>
<td>982 (20%)</td>
</tr>
<tr>
<td>2005</td>
<td>4,802</td>
<td>934 (19%)</td>
</tr>
<tr>
<td>2004</td>
<td>4,297</td>
<td>897 (21%)</td>
</tr>
<tr>
<td>2003</td>
<td>4,163</td>
<td>849 (20%)</td>
</tr>
<tr>
<td>2002</td>
<td>4,082</td>
<td>968 (24%)</td>
</tr>
<tr>
<td>2001</td>
<td>3,839</td>
<td>842 (22%)</td>
</tr>
</tbody>
</table>
### TABLE 6b: Arizona vs. United States All Firearm Death Rate

<table>
<thead>
<tr>
<th>Year</th>
<th>Firearm Arizona Death Rate per 100,000</th>
<th>Firearm United States Death Rate per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>16.16</td>
<td>12.21</td>
</tr>
<tr>
<td>2016</td>
<td>15.84</td>
<td>11.95</td>
</tr>
<tr>
<td>2015</td>
<td>14.26</td>
<td>11.29</td>
</tr>
<tr>
<td>2014</td>
<td>13.82</td>
<td>10.54</td>
</tr>
<tr>
<td>2013</td>
<td>14.22</td>
<td>10.64</td>
</tr>
<tr>
<td>2012</td>
<td>14.46</td>
<td>10.69</td>
</tr>
<tr>
<td>2011</td>
<td>14.91</td>
<td>10.38</td>
</tr>
<tr>
<td>2010</td>
<td>14.56</td>
<td>10.26</td>
</tr>
<tr>
<td>2009</td>
<td>13.49</td>
<td>10.22</td>
</tr>
<tr>
<td>2008</td>
<td>14.44</td>
<td>10.39</td>
</tr>
<tr>
<td>2007</td>
<td>15.42</td>
<td>10.37</td>
</tr>
<tr>
<td>2006</td>
<td>16.29</td>
<td>10.35</td>
</tr>
<tr>
<td>2005</td>
<td>16.00</td>
<td>10.39</td>
</tr>
<tr>
<td>2004</td>
<td>15.87</td>
<td>10.10</td>
</tr>
<tr>
<td>2003</td>
<td>15.41</td>
<td>10.39</td>
</tr>
<tr>
<td>2002</td>
<td>17.94</td>
<td>10.51</td>
</tr>
<tr>
<td>2001</td>
<td>15.97</td>
<td>10.38</td>
</tr>
</tbody>
</table>
Firearm Deaths - Homicide Only

Data below were gathered using the Center for Disease Controls WISQUARS fatal injury data visualization tool. For this section the a filter option on the tool was utilized to produce only deaths that fell into the homicide category.

**TABLE 7a: All Homicides in Arizona**

<table>
<thead>
<tr>
<th>Year</th>
<th>Homicide Deaths (All Weapons)</th>
<th>Homicide Deaths (Firearms Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>441</td>
<td>304 (69%)</td>
</tr>
<tr>
<td>2016</td>
<td>420</td>
<td>303 (72%)</td>
</tr>
<tr>
<td>2015</td>
<td>364</td>
<td>236 (65%)</td>
</tr>
<tr>
<td>2014</td>
<td>322</td>
<td>212 (66%)</td>
</tr>
<tr>
<td>2013</td>
<td>389</td>
<td>251 (65%)</td>
</tr>
<tr>
<td>2012</td>
<td>394</td>
<td>254 (64%)</td>
</tr>
<tr>
<td>2011</td>
<td>402</td>
<td>259 (64%)</td>
</tr>
<tr>
<td>2010</td>
<td>418</td>
<td>271 (65%)</td>
</tr>
<tr>
<td>2009</td>
<td>387</td>
<td>228 (59%)</td>
</tr>
<tr>
<td>2008</td>
<td>474</td>
<td>333 (70%)</td>
</tr>
<tr>
<td>2007</td>
<td>528</td>
<td>354 (67%)</td>
</tr>
<tr>
<td>2006</td>
<td>549</td>
<td>387 (70%)</td>
</tr>
<tr>
<td>2005</td>
<td>532</td>
<td>377 (71%)</td>
</tr>
<tr>
<td>2004</td>
<td>509</td>
<td>342 (67%)</td>
</tr>
<tr>
<td>2003</td>
<td>498</td>
<td>324 (65%)</td>
</tr>
<tr>
<td>2002</td>
<td>504</td>
<td>355 (70%)</td>
</tr>
</tbody>
</table>
TABLE 7b: Firearm Homicides Arizona vs. United States Rates

<table>
<thead>
<tr>
<th>Year</th>
<th>Arizona Homicide Death Rate per 100,000</th>
<th>United States Homicide Death Rate per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>4.24</td>
<td>4.46</td>
</tr>
<tr>
<td>2016</td>
<td>4.39</td>
<td>4.46</td>
</tr>
<tr>
<td>2015</td>
<td>3.47</td>
<td>4.04</td>
</tr>
<tr>
<td>2014</td>
<td>3.16</td>
<td>3.45</td>
</tr>
<tr>
<td>2013</td>
<td>3.79</td>
<td>3.54</td>
</tr>
<tr>
<td>2012</td>
<td>3.88</td>
<td>3.70</td>
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<tr>
<td>2011</td>
<td>4.01</td>
<td>3.55</td>
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<td>2010</td>
<td>4.24</td>
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<td>2009</td>
<td>3.59</td>
<td>3.75</td>
</tr>
<tr>
<td>2008</td>
<td>5.30</td>
<td>4.01</td>
</tr>
<tr>
<td>2007</td>
<td>5.74</td>
<td>4.19</td>
</tr>
<tr>
<td>2006</td>
<td>6.42</td>
<td>4.29</td>
</tr>
<tr>
<td>2005</td>
<td>6.46</td>
<td>4.18</td>
</tr>
<tr>
<td>2004</td>
<td>6.05</td>
<td>3.97</td>
</tr>
<tr>
<td>2003</td>
<td>5.88</td>
<td>4.11</td>
</tr>
<tr>
<td>2002</td>
<td>6.58</td>
<td>4.11</td>
</tr>
<tr>
<td>2001</td>
<td>6.30</td>
<td>3.98</td>
</tr>
</tbody>
</table>
### TABLE 7c: Women Murdered by Men

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Homicide Victims</th>
<th>Total Women Victims</th>
<th>Female Homicide Rate per 100K Citizens</th>
<th>Female Homicide Rate per 100K Females</th>
<th>Women Killed by Men (%)</th>
<th>Women Killed by Gun (%)</th>
<th>Women who Knew Killer (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>458</td>
<td>112</td>
<td>6.53</td>
<td>3.27</td>
<td>72.32</td>
<td>54.46</td>
<td>63.39</td>
</tr>
<tr>
<td>2016</td>
<td>390</td>
<td>86</td>
<td>5.64</td>
<td>2.54</td>
<td>69.77</td>
<td>65.12</td>
<td>68.60</td>
</tr>
<tr>
<td>2015</td>
<td>344</td>
<td>77</td>
<td>5.06</td>
<td>2.30</td>
<td>75.32</td>
<td>46.75</td>
<td>76.62</td>
</tr>
<tr>
<td>2014</td>
<td>313</td>
<td>73</td>
<td>4.65</td>
<td>2.21</td>
<td>73.97</td>
<td>45.21</td>
<td>73.97</td>
</tr>
<tr>
<td>2013</td>
<td>383</td>
<td>80</td>
<td>5.77</td>
<td>2.46</td>
<td>76.25</td>
<td>57.50</td>
<td>80.00</td>
</tr>
<tr>
<td>2012</td>
<td>365</td>
<td>96</td>
<td>5.57</td>
<td>2.98</td>
<td>76.04</td>
<td>51.04</td>
<td>78.13</td>
</tr>
<tr>
<td>2011</td>
<td>379</td>
<td>84</td>
<td>5.86</td>
<td>2.64</td>
<td>89.29</td>
<td>53.57</td>
<td>78.57</td>
</tr>
<tr>
<td>2010</td>
<td>400</td>
<td>79</td>
<td>6.24</td>
<td>2.52</td>
<td>74.68</td>
<td>54.43</td>
<td>67.09</td>
</tr>
<tr>
<td>2009</td>
<td>370</td>
<td>100</td>
<td>5.61</td>
<td>3.13</td>
<td>83.00</td>
<td>49.00</td>
<td>73.00</td>
</tr>
<tr>
<td>2008</td>
<td>453</td>
<td>80</td>
<td>6.97</td>
<td>2.54</td>
<td>72.50</td>
<td>62.50</td>
<td>63.75</td>
</tr>
<tr>
<td>2007</td>
<td>516</td>
<td>105</td>
<td>8.14</td>
<td>3.39</td>
<td>71.43</td>
<td>47.62</td>
<td>69.52</td>
</tr>
<tr>
<td>2006</td>
<td>509</td>
<td>91</td>
<td>8.25</td>
<td>3.01</td>
<td>69.23</td>
<td>53.85</td>
<td>65.93</td>
</tr>
<tr>
<td>2005</td>
<td>473</td>
<td>69</td>
<td>7.95</td>
<td>2.35</td>
<td>82.61</td>
<td>62.32</td>
<td>73.91</td>
</tr>
<tr>
<td>2004</td>
<td>458</td>
<td>79</td>
<td>7.98</td>
<td>2.79</td>
<td>62.03</td>
<td>55.70</td>
<td>54.43</td>
</tr>
<tr>
<td>2003</td>
<td>482</td>
<td>106</td>
<td>8.64</td>
<td>3.83</td>
<td>72.64</td>
<td>54.72</td>
<td>60.38</td>
</tr>
<tr>
<td>2002</td>
<td>446</td>
<td>66</td>
<td>8.20</td>
<td>2.44</td>
<td>66.67</td>
<td>56.06</td>
<td>60.61</td>
</tr>
</tbody>
</table>
Firearm Deaths – Suicide Only

Data below were gathered using the Center for Disease Controls WISQUARS fatal injury data visualization tool. For this section the a filter option on the tool was utilized to produce only deaths that fell into the suicide category.

**TABLE 8a: All Suicides in Arizona**

<table>
<thead>
<tr>
<th>Year</th>
<th>All Suicide Deaths</th>
<th>Firearm Suicide Deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>1,327</td>
<td>792 (60%)</td>
</tr>
<tr>
<td>2016</td>
<td>1,271</td>
<td>755 (59%)</td>
</tr>
<tr>
<td>2015</td>
<td>1,276</td>
<td>707 (55%)</td>
</tr>
<tr>
<td>2014</td>
<td>1,244</td>
<td>683 (55%)</td>
</tr>
<tr>
<td>2013</td>
<td>1,163</td>
<td>655 (56%)</td>
</tr>
<tr>
<td>2012</td>
<td>1,156</td>
<td>663 (57%)</td>
</tr>
<tr>
<td>2011</td>
<td>1,160</td>
<td>674 (58%)</td>
</tr>
<tr>
<td>2010</td>
<td>1,093</td>
<td>620 (57%)</td>
</tr>
<tr>
<td>2009</td>
<td>1,060</td>
<td>605 (57%)</td>
</tr>
<tr>
<td>2008</td>
<td>972</td>
<td>540 (56%)</td>
</tr>
<tr>
<td>2007</td>
<td>1,016</td>
<td>552 (54%)</td>
</tr>
<tr>
<td>2006</td>
<td>979</td>
<td>563 (58%)</td>
</tr>
<tr>
<td>2005</td>
<td>945</td>
<td>514 (54%)</td>
</tr>
<tr>
<td>2004</td>
<td>880</td>
<td>509 (58%)</td>
</tr>
<tr>
<td>2003</td>
<td>840</td>
<td>486 (58%)</td>
</tr>
<tr>
<td>2002</td>
<td>886</td>
<td>559 (63%)</td>
</tr>
</tbody>
</table>
TABLE 8b: Firearm Suicides Arizona vs. United States Rates

<table>
<thead>
<tr>
<th>Year</th>
<th>Arizona Suicide Death Rate per 100,000</th>
<th>United States Suicide Death Rate per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>11.29</td>
<td>7.32</td>
</tr>
<tr>
<td>2016</td>
<td>10.93</td>
<td>7.09</td>
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<tr>
<td>2015</td>
<td>10.39</td>
<td>6.86</td>
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<tr>
<td>2014</td>
<td>10.18</td>
<td>6.71</td>
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<tr>
<td>2013</td>
<td>9.90</td>
<td>6.70</td>
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<tr>
<td>2012</td>
<td>10.13</td>
<td>6.58</td>
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<tr>
<td>2011</td>
<td>10.42</td>
<td>6.41</td>
</tr>
<tr>
<td>2010</td>
<td>9.70</td>
<td>6.28</td>
</tr>
<tr>
<td>2009</td>
<td>9.54</td>
<td>6.11</td>
</tr>
<tr>
<td>2008</td>
<td>8.60</td>
<td>5.99</td>
</tr>
<tr>
<td>2007</td>
<td>8.95</td>
<td>5.76</td>
</tr>
<tr>
<td>2006</td>
<td>9.34</td>
<td>5.66</td>
</tr>
<tr>
<td>2005</td>
<td>8.80</td>
<td>5.75</td>
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<tr>
<td>2004</td>
<td>9.01</td>
<td>5.72</td>
</tr>
<tr>
<td>2003</td>
<td>8.82</td>
<td>5.83</td>
</tr>
<tr>
<td>2002</td>
<td>10.36</td>
<td>5.95</td>
</tr>
<tr>
<td>2001</td>
<td>8.87</td>
<td>5.92</td>
</tr>
</tbody>
</table>
Where Arizona Gun Deaths Happen

*Figure 1: Firearm Deaths by County – All Intents*

Data below is from the Centers for Disease Control Fatal Injury mapping tool. The image represents rates of firearms deaths between 2008-2014, all intents (homicide, legal intervention, and suicide).

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*2008-2014, Arizona*

Death Rates per 100,000 Population
Firearm, All Intents, All Races, All Ethnicities, Both Sexes, All Ages
Annualized Crude Rate for Arizona: 14.25

---

Reports for All Ages include those of unknown age.
* Rates based on 20 or fewer deaths may be unstable. These rates are suppressed for counties (see legend above); such rates in the title have an asterisk.

**Produced by:** the Statistics, Programming & Economics Branch, National Center for Injury Prevention & Control, CDC
**Data Sources:** NCVS National Vital Statistics System for numbers of deaths; US Census Bureau for population estimates.
Figure 2: Firearm Deaths by County – Homicide Only

Data below is from the Centers for Disease Control Fatal Injury mapping tool. This image represents rates of firearms deaths between 2008-2014, that are homicides only. Homicides include criminal acts such as drug of gang related murders as well as domestic violence shootings, altercations turned deadly due to the presence of firearms, and road rage shootings.

2008-2014, Arizona
Death Rates per 100,000 Population
Firearm, Homicide, All Races, All Ethnicities, Both Sexes, All Ages
Annualized Crude Rate for Arizona: 3.98

Reports for All Ages include those of unknown age.
* Rates based on 20 or fewer deaths may be unstable. These rates are suppressed for counties (see legend above); such rates in the title have an asterisk.

Produced by: the Statistics, Programming & Economics Branch, National Center for Injury Prevention & Control, CDC
Data Sources: NCHS National Vital Statistics System for numbers of deaths; US Census Bureau for population estimates.
Figure 3: Firearm Deaths by County – Suicides Only

Data below is from the Centers for Disease Control Fatal Injury mapping tool. This image represents rates of firearm deaths between 2008-2014 that are suicide related only.

2008-2014, Arizona
Death Rates per 100,000 Population
Firearm, Suicide, All Races, All Ethnicities, Both Sexes, All Ages
Annualized Crude Rate for Arizona: 9.75

Reports for All Ages include those of unknown age.
* Rates based on 20 or fewer deaths may be unstable. These rates are suppressed for counties (see legend above); such rates in the title have an asterisk.

Produced by: the Statistics, Programming & Economics Branch, National Center for Injury Prevention & Control, CDC
Data Sources: NCES National Vital Statistics System for numbers of deaths; US Census Bureau for population estimates.
THE ECONOMIC COST OF GUN VIOLENCE IN ARIZONA

In recent years, Arizona has suffered an average of 244 gun-related homicides, 669 gun-related suicides, 582 non-fatal interpersonal shootings, and 553 accidental shootings per year. Arizona has the 18th highest number of gun deaths per capita among the states. Gun violence in our state exacts a high physical, emotional, and financial toll on our families, friends, and neighbors. We often hear about the heartbreak and physical pain these shootings cause, but there is another aspect of the gun violence epidemic that doesn’t receive as much attention: the overwhelming financial cost.

TALLYING THE NUMBERS

The 2,215 shootings that occur each year in Arizona are a serious drain on our economy. Based on the expenses we can directly measure, including healthcare costs ($966 million per year), law enforcement and criminal justice expenses ($114 million per year), costs to employers ($11 million per year), and lost income ($1.7 billion per year), the initial price tag of gun violence in Arizona is $1.9 billion per year.¹

Much of this tab is picked up by the public. Up to 85% of gunshot victims, for example, are either uninsured or on some form of publicly funded insurance. Law enforcement efforts are funded entirely by taxpayer dollars. As a result, the direct cost of gun violence to Arizona taxpayers is approximately $334 million.

GUN VIOLENCE IS BAD FOR BUSINESS

The business community of Arizona is severely impacted by the negative economic consequences of gun violence. Shootings engender fear in the affected neighborhood that keeps potential customers away, forces businesses to relocate or limit their hours of operation, and decreases foreign and local tourism. Just last year, a serial shooter killed seven people and injured two others in the Maryvale area of Phoenix, terrifying local residents.

The Arizona business community is severely impacted by the negative economic consequences of gun violence. Shootings engender fear in the affected neighborhood that keeps potential customers away, forces businesses to relocate or limit their hours of operation, and has a profound negative economic impact on the vitality of our neighborhoods and cities.  

Jim Messtead, President & CEO of Accurate Signs & Engraving

$1.9+ BILLION TOTAL DIRECTLY MEASURABLE COSTS

giffordslawcenter.org
FACEBOOK /Giffords TWITTER @GiffordsCourage
When the reduced quality of life attributable to pain and suffering ($3.5 billion) is considered, the overall estimate of the economic cost of gun violence in Arizona rises to $5.4 billion per year. While this number is staggering, it actually understates the true cost of gun violence in the Grand Canyon State—it doesn’t incorporate significant, yet difficult-to-measure costs, including lost business opportunities, lowered property values, and reductions in the tax base.

Conversely, reducing shootings improves local economies. A recent study by the Urban Institute found that in Minneapolis, MN, just one fewer gun homicide was associated with the creation of 80 jobs and an additional $9.4 million in sales across all businesses the following year.

REDDUCING GUN VIOLENCE
There’s much work to be done. Fortunately, a number of proven solutions exist to reduce gun violence without limiting responsible gun ownership. These include universal background checks for gun sales, neighborhood revitalization programs, and evidence-based violence intervention strategies. The investment required to implement these lifesaving solutions is minuscule compared to the yearly cost of gun violence in our state.

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1. All non-fatal firearm injury data used was previously provided by the Arizona Department of Health Services.
2. All cost estimates are derived from a report created by the Pacific Institute for Research and Evaluation (PIRE).
PIRE is a nonprofit research organization dedicated to using scientific research to inform public policy.

WE’RE ON A MISSION TO SAVE LIVES
For nearly 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence. Founded in the wake of a 1993 mass shooting in San Francisco, in 2016 the Law Center joined with former Congresswoman Gabrielle Giffords to form a courageous new force for gun safety that stretches coast to coast.

CONTACT US
media@giffords.org

LEARN ABOUT ARIZONA’S GUN LAWS:
lawcenter.giffords.org/AZ
Policy or Initiatives to Reduce Gun Violence in Arizona

National Integrated Ballistic Information Network (NIBIN)\(^3\)

The Integrated Ballistics Identification System (IBIS) is the most popular ballistics imaging technology which essentially allows a computer to compare spent cartridges. This identification system uses correlations between spent cartridges to provide a list of possible matches that firearms technicians can then review. This is possible as firing pins, breech blocks, ejectors, and lands inside gun barrels all leave individualized marks on the spent cartridge which allow for specific identification similar to how fingerprints are used.

The National Integrated Ballistics Information Network (NIBIN) is run by the Bureau of Alcohol, Firearms, Tobacco, and Explosives (ATF) and provides equipment to departments for ballistic imagining while also creating a national database that can be searched to find matching spent cartridges. The data for NIBIN comes from both criminal events or from guns that have been confiscated and test fired. The local agencies input the fired cartridges and bullets into the database. This information is then uploaded to a regional sever where the information is stored and compared to other images. This information can also be submitted to other regions for comparison. Once the search is complete the list of possible matches is generated for comparison by technicians to confirm hits. As of early 2012 the NIBIN program has produced over 47,000 hits. The information from these hits is then relayed to officers who can use then use the information to either investigate both halves of the hit together or to consider patterns in gun sharing, usage, gang activity and criminal conspiracy networks. Research has shown cities with more gun homicides enter more shell casings into evidence and discover more NIBIN casing hits; however, this same effect is not found for bullets.

Although NIBIN is a potentially useful investigation tool, agencies differ in their implementation and use of this technology. Across agencies the majority of the data put into the system comes from spent brass from test fires of confiscated gun. Lab processing times vary greatly across NIBIN locations based on the labs processing procedures. For instance the processing time from the 19 sites included in the Opening the Black Box of NIBIN report found processing time spanned from zero to 730 days. In some instances the policies of the law enforcement agencies related to firearms investigations result in some criminal firearms never being added to the NIBIN database because the firearms are kept in a storage facility and not sent to the lab for processing. However, the Phoenix Police Department does coordinate the NIBIN activities of nearby agencies with the Phoenix Metro NIBIN program to ensure they are being processed.

Agencies also differ in how often they input evidence into the NIBIN system and how often they review the correlates generated by the system. Although, all labs actively report hits to law enforcement agencies once they have been confirmed. Law enforcement agencies tend to

\(^3\) Information for this section was obtained from the Opening the Black Box of NIBIN: A Descriptive Process and Outcome Evaluation of the Use of NIBIN and Its Effects on Criminal Investigations, Final Report.
like the idea of NIBIN reports but report issues leading the reports to be less effective in practice. Issues agencies have with the NIBIN reports are often related to the time elapsed between the crime and the hit report and the sparse information contained in the reports. Investigators do find NIBIN reports are helpful in confirming suspicions about cases and suspects. One major issue that limits the usefulness of NIBIN is lack of funding. Budget cuts forced some NIBIN sites to be closed down which affects the entire system.
Ballistics Imaging Helped Phoenix Police Solve 9 Fatal Shootings. Why Don't More Departments Make Better Use of It?


Within about 48 hours of arresting Cleophus Cooksey, Jr. for a double murder on December 17, Phoenix police used ballistic evidence to tie the 35-year-old man to seven additional killings.

The technology that police used to make the connections — a national database of ballistic images that matches guns and shell casings recovered by police — is not new. But experts say it’s a tool that some departments are still using poorly, even as others get great results.

Phoenix, one of five cities to receive federal funding as part of the Department of Justice’s Crime Gun Intelligence Center initiative, has been working for some time to collect more guns and casings and process them more quickly. Police say quick turnarounds like in Cooksey’s case will help them get more bad guys off the streets — hopefully sometimes even before they hurt anyone.

“What once took weeks can now take place in only a matter of hours,” said Mayor Greg Stanton when announcing that Cooksey was being charged with nine killings, all late last year.

Here’s how the technology works: When a gun fires, it leaves a unique marking on the shell casing it discards. The Bureau of Alcohol, Tobacco, Firearms and Explosives maintains a database of images of these markings called the National Integrated Ballistic Information Network, or NIBIN. Police can enter images of shell casings found at crime scenes into the database. If investigators recover a gun but no expended shell casings, they can test fire it in a lab and create their own. A match in NIBIN can connect a gun to multiple crime scenes or a perpetrator, and possibly solve crimes.

In the Phoenix case, police said it was NIBIN that made them realize that they were dealing with a serial killer. After police arrested Cooksey on charges that he killed his mother and stepfather, they used NIBIN technology to link him to five other homicides in which they said he used two handguns. They then used other evidence, including cell phone data, surveillance footage, and DNA to bolster their cases and link him to two additional killings.

A number of factors determine whether police departments use NIBIN technology effectively. The first is a requirement that officers collect shell casings every time a shot is fired, even when...
no one is injured. Experts say a person who shoots and misses one day is likely to shoot and hit someone on another. If police collect and process casings every time shots are fired, it helps them build a wide network of evidence and make matches.

It also matters how soon police test fire a gun and run casings through NIBIN after they recover them. If police can collect the shell casings, enter them into NIBIN, and make a match quickly, they just might be able to make an arrest soon enough to save a life.

Phoenix Police Sergeant Jonathan Howard said while his department has been using NIBIN for years, officials made some changes late last year that have led to quicker turnaround times. Crime guns and casings used to be taken to an impound warehouse after they were collected, but are now often taken directly to police headquarters for processing. There, they are run through NIBIN machines, usually within hours rather than days.

He said police are now directed to collect all casings, even when no one has been injured.

“Our long-term goal is to process anything that meets the criteria for lawful testing,” he said. “And we are closing that gap quickly.”
Proposed Gun Legislation in Arizona

- Senate Bill 1292
  - The bill was first read by the Senate on January 30, 2019
  - This proposed Bill would reclassify some of the offenses related to the carrying of weapons.
    - Changes would be made to two sections Title 13-3102 Misconduct involving weapons. The sections listed below would be revised from a class 1 misdemeanor to a class 3 misdemeanor
      - Carrying a deadly weapon except a pocket knife concealed on his person or concealed within his immediate control in or on a means of transportation if the person is under twenty-one years of age.
      - Unless specifically authorized by law, entering an election polling place on the day of any election carrying a deadly weapon
    - For one section the classification would be changed from a misdemeanor to a petty offense.
      - Unless specifically authorized by law, entering any public establishment or attending any public event and carrying a deadly weapon on his person after a reasonable request by the operator of the establishment or the sponsor of the event or the sponsor's agent to remove his weapon and place it in the custody of the operator of the establishment or the sponsor of the event for temporary and secure storage of the weapon pursuant to section 13-3102.01

- House Bill 2693
  - The bill was first read by the House on February 13, 2019
  - This proposed bill would allow loaded weapons in vehicles on school grounds.
    - This amendment would make changes to Title 13-3102 Misconduct involving weapons.
      - The proposed change would read:

Subsection A, paragraph 12 of this section shall not apply to the possession of a: Firearm that is carried within a means of transportation under the control of an adult provided that if the adult leaves the means of transportation the firearm shall not be visible from the outside of the means of transportation and the means of transportation shall be locked.