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## **What Would We Do if Coronavirus Killed 40,000 Americans Every Year?**

A Message from the President of Americans Against Gun Violence  
February 28, 2020

What would we do as a country if the coronavirus killed almost 40,000 Americans every year? If there were regular deadly outbreaks of coronavirus in schools, at workplaces, at places of worship, at nightclubs, at outdoor recreational events, at shopping malls, and at virtually every other kind of venue where people frequently congregate? If since 1968, more American civilians had died of coronavirus infection than all the soldiers killed by any means in all the wars in which our country had ever been involved? And if all the other high income democratic countries of the world had long ago adopted stringent infection control measures that resulted in death rates for coronavirus that were, on average, 1/10th the rate in the United States for all age groups combined; 1/12th the rate for children under the age of 15; and 1/82nd the rate for high school age youth?

The answer to the question of what we would do is obvious. We'd immediately adopt stringent coronavirus infection control measures comparable to the measures that had long been in effect in all the other high income democratic countries of the world, and we probably wouldn't stop there. We'd almost certainly pursue additional infection control measures in an effort to become the world leader in preventing deaths from coronavirus.

As of the time of this writing, a total of 53 people in the United States have been diagnosed as being infected with a new strain of the coronavirus, COVID-19, that was first identified as causing pneumonia in humans in the city of Wuhan in China's Hubei province in December of 2019.<sup>1</sup> To date, no one in the United States has died of the virus. A total of about 2,600 people have died of COVID-19 infection in China,<sup>2</sup> a country with an estimated population of 1.4 billion people,<sup>3</sup> and the rate of people dying from COVID-19 in China has been declining in recent weeks.<sup>4</sup> The currently available evidence suggests that infection with COVID-19 is less likely to cause death than infection with the coronaviruses that caused the severe acute respiratory syndrome (SARS) outbreak in 2002-3 and the Middle East respiratory syndrome (MERS) in 2012.<sup>5</sup> Although there were 418 reported SARS virus cases in the United States in 2002-3, no one in the United States died of SARS.<sup>6</sup> Only two cases of MERS were reported in the United States in 2012, and both patients recovered completely.<sup>7</sup>

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Despite the above information concerning the relatively low likelihood that COVID-19 will cause a highly fatal epidemic in the United States, our country has already initiated a massive public health response, including involuntarily quarantining hundreds of US residents returning from China;<sup>8</sup> asking hundreds more to voluntarily quarantine themselves;<sup>9</sup> and closing our borders to incoming flights from some of the most highly affected regions.<sup>10</sup> The CDC has assigned more than 1,300 personnel to work in our country and abroad on COVID-19 infection control.<sup>11</sup> In addition, the Trump administration has asked for \$1.25 billion in new supplemental funds to address the anticipated COVID-19 epidemic, including funds to support the development of a coronavirus vaccine.<sup>12</sup> Democrats in Congress have argued that more funding is needed.<sup>13</sup>

In contrast to our country's dramatic response to the threat of a COVID-19 epidemic, when the CDC announced on February 12, 2020, that once again in 2018, nearly 40,000 Americans (39,740, to be exact) had died of gunshot wounds,<sup>14</sup> hardly anyone batted an eye.

Nearly 40,000 Americans *really do* die of gunshot wounds every year.<sup>15</sup> There *really are* regular mass shootings in our country in schools, at workplaces, at places of worship, at nightclubs, at outdoor recreational events, at shopping malls, and at virtually every other kind of venue where people frequently congregate.<sup>16</sup> In fact, there was just another mass shooting in a brewery in Milwaukee on February 26, 2020.<sup>17</sup> Since 1968, more American civilians *really have* died of gunshot wounds than all the soldiers killed by any means in all the wars in which our country has ever been involved.<sup>18</sup> All the other high income democratic countries of the world *really have* adopted stringent gun control measures long ago that have reduced gun-related deaths to levels that are, on average, 1/10th the rate in the United States for all age groups combined;<sup>19</sup> 1/12th the rate for children under the age of 15;<sup>20</sup> and 1/82nd the rate for high school age youth.<sup>21</sup>

Chinese officials have been criticized for being slow to respond to the initial outbreak of COVID-19 virus infection in Wuhan and for suppressing information concerning the seriousness of the outbreak.<sup>22</sup>

Talk about slow to respond!

More than 50 years ago, in June of 1968, the late U.S. Senator Thomas Dodd of Connecticut stated:

Pious condolences will no longer suffice....Quarter measures and half measures will no longer suffice....The time has now come that we must adopt stringent gun control legislation comparable to the legislation in force in virtually every civilized country in the world.<sup>23</sup>

Over the past 50 years, we haven't adopted gun control laws that come even close to being as stringent as the laws that have long been in effect in every other high income democratic country of the world. In contrast, it took the Australian government just 12 days to decide to ban civilian ownership of all automatic and semi-automatic firearms after the 1996 Port Arthur mass shooting,<sup>24</sup> and it took Great Britain less than two years to ban all civilian handgun ownership after the 1996 Dunblane Primary School mass shooting.<sup>25</sup> The rate of gun related deaths in Australia is currently 1/12<sup>th</sup> the U.S. rate, and the rate of gun related deaths in Great Britain is 1/56<sup>th</sup> the U.S. rate.<sup>26</sup>

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And talk about suppressing information!

When the CDC funded studies in the 1990's that showed that U.S. children under the age of 15 were dying of gunshot wounds at a rate that was 12 times higher than the average for the other high income democratic countries of the world;<sup>27</sup> that gunshot wounds were the fourth leading cause of years of potential life lost before age 65 in our country;<sup>28</sup> and that a gun in the home was 43 times more likely to be used to kill a household member than to kill an intruder;<sup>29</sup> Congress responded not by enacting more stringent gun control laws, but by cutting the CDC's funding by \$2.6 million annually – exactly the amount that the CDC had been spending on gun violence prevention research.<sup>30</sup>

We, as a country, should be ashamed.

The vast discrepancy between our grossly inadequate approach to the real and present epidemic of gun violence in our country as compared with our dramatic response to the potential threat of an epidemic of COVID-19 virus was exemplified by Donald Trump's comments at a press conference on February 26, 2020. The conference was initially planned as an opportunity for Trump to tout our country's preparedness to deal with a COVID-19 virus outbreak, but the mass shooting at the Molson Coors brewery in Milwaukee, in which five people were killed before the gunman fatally shot himself, occurred just hours before the press conference was scheduled to begin. Trump, who had promised assembled NRA members shortly after becoming President that he would, "never, ever" let them down,<sup>31</sup> began by making reference to the Milwaukee mass shooting:

Before I begin, I'd like to extend my deepest condolences to the victims and families in Milwaukee, Wisconsin. Earlier today, a wicked murderer opened fire at a Molson-Coors Brewing Company plant, taking the lives of five people. A number of people were wounded, some badly wounded. Our hearts break for them and their loved ones. We send our condolences, we'll be with them and it's a terrible thing. Terrible thing. So our hearts go out to the people of Wisconsin and to the families. Thank you very much.<sup>32</sup>

That was the full extent of Trump's response to the latest U.S. mass shooting.

Trump proceeded, in his usual rambling fashion, to mention some of the measures described above that our country is taking to prevent a COVID-19 epidemic, including his administration's request for new supplemental funds. Of course, he didn't mention anything about funding for gun violence prevention. He expressed surprise at learning that tens of thousands of Americans die every year of influenza,<sup>33</sup> but he didn't mention that most patients who die of influenza are elderly or otherwise debilitated and that American children and youth die of gunshot wounds far more often than they die of infectious diseases.<sup>34</sup> Trump cited a report from Johns Hopkins University that claimed that the United States is better prepared than any other country in the world to deal with an infectious disease epidemic,<sup>35</sup> but he failed to note that the United States has by far the highest rates of gun related deaths of any high income democratic country in the world, by far the most lax gun control laws, and by far the highest number of privately owned guns in circulation.<sup>36</sup>

I don't intend to imply that the United States is over-reacting to the threat of a COVID-19

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virus epidemic in our country. For the reasons I've discussed above, though, if we follow well-established public health principles, it's likely that the COVID-19 virus will have minimal effect on the health of the American public, just as the coronaviruses that caused SARS and MERS epidemics abroad in 2002-3 and in 2012, respectively, caused little morbidity and no mortality in the United States.

On the other hand, our failure to take definitive measures to stop the real and present epidemic of gun violence in our country is, in my opinion, both inexcusable and shameful. We know, or should know, the reasons why rates of gun related deaths in our country are so extraordinarily high as compared with the rates in all the other high income democratic countries of the world. And we know, or should know, how to stop the epidemic. But we, as a society, choose not to stop it. In fact, for the most part, we choose to not even talk about the definitive measures needed to stop our shameful epidemic of gun violence.

The obvious reasons for our extraordinarily high rate of gun violence as compared with all other high income democratic countries are our extraordinarily lax gun control laws and the associated extraordinarily high number of privately owned guns in circulation. And the obvious way to stop the epidemic is to adopt stringent gun control laws comparable to the laws that have long been in effect in those other countries.

Specifically, we need to change from our current "permissive" guiding policy for gun ownership to a "restrictive" one, comparable to the guiding policy in all the other high income democratic countries of the world.<sup>37</sup> Under a "restrictive" guiding policy, a person seeking to acquire a firearm must first show convincing evidence that he or she needs a gun and can handle one safely before he or she can legally obtain one. Recognizing that there is no net protective value from owning or carrying a gun, most other high income democratic countries, including Australia and the United Kingdom, don't consider "self defense" to be a legitimate reason for owning a firearm. And as part of the application process for acquiring a firearm, police in Australia, the UK, and many other countries do extensive interviews with the applicant's colleagues, friends and family before they consider issuing a firearm permit.

In the United States, the guiding policy for gun ownership is "permissive." Anyone of a certain age seeking to acquire a gun may legally obtain one unless government agencies can prove that he or she meets certain fairly narrow criteria for being prohibited from possessing a firearm. And under federal law, these criteria apply only to gun purchases from federally licensed firearm dealers, not to private sales. The current federal background check criteria should be vastly expanded; they should apply to all gun purchases; and they should be used as a secondary safeguard for determining who may or may not acquire a gun only after the potential gun purchaser has successfully completed the primary application process.

Furthermore, given the direct relationship between the number of privately owned guns in circulation in a country and the rate of gun related deaths;<sup>38</sup> the fact that the vast majority of fatal shootings in the United States, including the recent mass shooting in Milwaukee, are committed with handguns;<sup>39</sup> and the fact that there is no legitimate civilian use for automatic and semi-automatic firearms that are specifically designed to kill and maim large numbers of people in a short period of time; the United States should adopt a complete ban on civilian ownership of handguns, comparable to the ban that Great Britain adopted after the 1996 Dunblane Primary School mass shooting;<sup>40</sup> and a complete ban on civilian ownership of automatic and semi-automatic firearms, comparable to the ban that

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Australia adopted following the 1996 Port Arthur mass shooting.<sup>41</sup> Owners of the banned firearms should be required to surrender them in return for whatever is determined to be fair compensation, and the weapons should be destroyed, as they were in Australia and Great Britain. Such bans need not preclude legitimate hunters and target shooters from practicing their sports with traditional sporting rifles and shotguns.

Prior to 2008, there was no constitutional obstacle, Second Amendment or otherwise, to the adoption of stringent gun control laws in the United States comparable to the laws in other high income democratic countries. In fact, the Second Amendment no more guaranteed an individual right for private citizens to own and carry guns than it guaranteed a right of individual citizens to carry and transmit the coronavirus.

The Second Amendment is just 27 words long. It states:

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.

Prior to 2008, the Supreme Court had ruled on four separate occasions that the Second Amendment did not confer an individual right to own guns unrelated to service in a well regulated militia.<sup>42</sup> In particular, in the 1939 case of *United States v. Miller*, the Court ruled unanimously:

With obvious purpose to assure the continuation and render possible the effectiveness of [a well regulated militia] the declaration and guarantee of the Second Amendment were made. It must be interpreted and applied with that end in view.<sup>43</sup>

Supreme Court Justice Harry Blackmun reiterated in his majority opinion in the 1980 case of *Lewis v. United States*:

The Second Amendment guarantees no right to keep and bear a firearm that does not have "some reasonable relationship to the preservation or efficiency of a well regulated militia."<sup>44</sup>

The late Supreme Court Chief Justice Warren Burger called the gun lobby's misrepresentation of the Second Amendment as conferring an individual right to own guns "one of the greatest pieces of fraud - I repeat the word, 'fraud,' - on the American public by special interest groups" that he had ever seen in his lifetime.<sup>45</sup>

Sadly, though, in 2008, a narrow 5-4 majority of the Supreme Court became a party to this fraud in ruling in the case of *District of Columbia v. Heller* that Washington DC's partial handgun ban violated the Second Amendment.<sup>46</sup> The majority opinion in the Heller decision, which was written by the late Supreme Court Justice Antonin Scalia, has been publicly condemned by respected constitutional authorities as a "radical departure" from prior legal precedent,<sup>47</sup> an example of "snow jobs" produced by well-staffed justices,<sup>48</sup> and "gun rights propaganda passing as scholarship."<sup>49</sup> In his book, *The Making of a Justice*, the late Supreme Court Justice John Paul Stevens wrote, "*Heller* is unquestionably the most clearly incorrect decision that the Court announced during my tenure on the bench."<sup>50</sup> Legal scholars have privately described the Heller decision to me as "an abomination."

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But the *Heller* decision is worse than all this. In creating a constitutional obstacle, where none previously existed, to the enactment of stringent gun control laws in the United States comparable to the laws that have long been in effect in every other high income democratic country of the world – countries in which mass shootings occur rarely if ever and in which the rate of gun deaths is, on average, one tenth the rate in the United States – *Heller* is a death sentence for tens of thousands of Americans every year. The *Heller* decision must be overturned in the short term. In the long term, we must adopt a new constitutional amendment that states once and for all that there is no constitutional right for any private citizen to own or carry a gun.

In conclusion, if you were worried about coming down with the coronavirus, I hope this message helps allay some of your fears. If you were wondering how you could help stop the shameful epidemic of gun violence in our country, become an official, paid member of Americans Against Gun Violence, if you haven't already done so, and make an additional donation, if you're able. Americans Against Gun Violence is the only U.S. gun violence prevention organization that openly advocates overturning the *Heller* decision and adopting stringent gun control laws in our country comparable to the laws that have long been in effect in every other high income democratic country of the world, and we were the only organization in the entire country to file an *amicus* brief last year in an important Supreme Court case involving the Second Amendment in which we called on the Court to take the opportunity of that case to overturn *Heller*.

You can also help make publicize our 2020 National High School Contest. (A contest flyer is attached.) The prompt for this year's contest is the following position statement published by the American Academy of Pediatrics in April of 2000:

Firearm regulations, to include bans of handguns and assault weapons, are the most effective way to reduce firearm-related injuries.<sup>51</sup>

Thanks to the generosity of supporters like you, we'll be awarding \$15,000 again this year to the 12 winners. The deadline for students to enter the contest is April 18. Full details are available on the High School Essay Contest page of the Americans Against Gun Violence website.

Finally, contact your elected officials and let them know that you expect them to openly advocate and do everything within their power to overturn the *Heller* decision and achieve the adoption of stringent gun control laws in the United States comparable to the laws in the other high income democratic countries of the world. And let candidates for elected office know that you expect the same of them if they want your vote. Talk openly and unabashedly with friends, colleagues, and family members about our country's shameful epidemic of gun violence and the definitive steps needed to stop it, and urge them to join Americans Against Gun Violence as well.

By taking common sense public health measures, we can avoid a deadly epidemic of coronavirus in our country. By adopting stringent gun control laws like the laws that have long been in effect in every other high income democratic country of the world, we can stop our country's shameful epidemic of gun violence.

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Thanks for your support and for your activism.

Sincerely,



Bill Durston, MD  
President, Americans Against Gun Violence

Note: Dr. Durston is a board-certified emergency physician. He is also a former expert marksman in the U.S. Marine Corps and a combat veteran of the Vietnam War, decorated for “courage and composure under fire.”

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