



Americans Against Gun Violence
921 11th Street, Suite 700
Sacramento, CA 95814
(916) 668-4160
aagunv.org / info@aagunv.org

The U.S. Gun Violence Epidemic Is Far Worse Than An “Embarrassment” –

And the President’s Proposals for Stopping It Are Woefully Inadequate

A Message from the President of Americans Against Gun Violence
April 18, 2021

In a speech that he delivered in the White House Rose Garden on the morning of April 8, 2021, following four high profile mass shootings – in Atlanta, Georgia; Boulder, Colorado; Orange, California; and Rock Hill, South Carolina – within just the previous three weeks, President Biden stated:

Gun violence in this country is an epidemic. Let me say it again: Gun violence in this country is an epidemic, and it’s an international embarrassment.¹

According to the official White House transcript of the speech, this statement was met with applause. There would be another high profile mass shooting, in Bryan, Texas, just hours after President Biden delivered his speech. As I began writing this message on April 16, there had just been another horrific mass shooting, in Indianapolis, Indiana. And as I’m completing this message on April 19, there’s just been another mass shooting in Kenosha, Wisconsin.

Technically speaking, gun violence in the United States is not an epidemic. And not just because it isn’t an infectious disease. According to the CDC, “Epidemic refers to an increase, often sudden, in the number of cases of a disease above what is normally expected in that population in that area.”² The steady increase in gun violence in the United States over the past half century, including the steady increase in mass shootings, has not been sudden; and given that we’ve done nothing definitive to stop the steady increase in gun violence, but instead have allowed both the number and the lethality of privately owned firearms in our country to steadily grow, the increase in gun violence, including mass shootings, should not be unexpected.

The more technically proper term for gun violence in the United States would be “endemic,” which according to the CDC, “refers to the constant presence and/or usual prevalence” of a serious disease.³ I won’t fault the President, though, for failing to appreciate the technical differences between an epidemic and an endemic. Very few people other than epidemiologists recognize this distinction, and for this reason, I often use the term, “epidemic,” myself to refer to the problem of gun violence in our country, a convention that I’ll follow in the rest of this message, though with an additional modifying

adjective.

In describing gun violence in the United States as an “international embarrassment,” I assume that the President was referring to the fact that the rate of gun related deaths in the United States is 10 times higher than the average rate in the other high income democratic countries of the world;⁴ that the U.S. rate of murder with a gun of high school age youth is 82 times higher;⁵ and that the United States is the only high income democratic country in the world in which mass shootings occur on a regular basis.⁶ President Biden didn't specifically mention any of these facts, though, in his speech. Nor did he mention that other high income democratic countries like Great Britain, Australia, and New Zealand reacted swiftly and definitively following mass shootings to prevent them from happening again. It took Great Britain less than two years to ban all handguns after the 1996 Dunblane Primary School mass shooting,⁷ and it took Australia and New Zealand less than two weeks to ban all automatic and semi-automatic long guns after the 1996 Port Arthur and 2019 Christchurch mass shootings, respectively.⁸ I would have used much stronger language than the term, “international embarrassment,” to describe the epidemic of gun violence in the United States. In my opinion, gun violence in our country, and our failure to take definitive action to stop it, is national disgrace – a tragic, horrific, inexcusable, and deadly national disgrace.

The remainder of President Biden's April 8 speech was clearly heartfelt and well-intended – and vastly superior to anything we heard on the topic of preventing gun violence from his predecessor in the White House over the previous four years. For this reason, I won't use the term “disgraceful” to describe the rest of his speech. The measures that the President proposed in his April 8 address, though, are woefully inadequate to stop the shameful epidemic of gun violence in our country. They are also embarrassingly trivial as compared with the measures taken by other high income democratic countries to prevent gun violence. They are the same measures, though, that all the other gun violence prevention organizations in the United States other Americans Against Gun Violence confine themselves to advocating – or even talking about.

[Americans Against Gun Violence is the only national organization that openly advocates adoption of the kind of stringent gun control laws necessary to stop our country's shameful epidemic of gun violence.](#) Such laws include complete bans on civilian ownership of handguns and all automatic and semiautomatic long guns. If you would like to support definitive solutions to stopping our country's shameful epidemic of gun violence, [please join Americans Against Gun Violence](#), if you haven't already done so, and [please make an additional contribution](#), if you're able.

President Biden's first recommended action in his April 8 speech was to “rein in the proliferation of so-called ‘ghost guns.’” Ghost guns” are firearms without serial numbers that are self-assembled by purchasers who acquire the gun components without undergoing a background check.⁹ None of the mass shootings to which Biden referred in his April 8 address, though, was committed with a ghost gun. There have been a few mass shootings committed in recent years with ghost guns,¹⁰ but most mass shooters don't go to the trouble of building a gun themselves when they can easily acquire one that is already assembled by a commercial manufacturer. The federal government doesn't track mass shootings, but *Mother Jones* magazine does, and the data collated by *Mother Jones* show that since 1982, nearly all mass shooters have used commercially produced guns, which, in most cases, they acquired legally under our country's lax gun control laws.¹¹

There's no data that I'm aware of regarding the percentage of daily firearm related deaths and injuries in the United States that are committed with ghost guns, but it must be exceedingly small. Suicides account for more than half of all gun related deaths,¹² and most suicides are committed on impulse. Even brief waiting periods for purchasing a gun reduce rates of firearm related suicide.¹³ I know of only one case of a suicide being committed with a ghost gun – a murder suicide committed by an engineering student who self-assembled the gun he used to kill his ex-girlfriend before killing himself.¹⁴ He could have legally purchased the same kind of gun he used in the murder suicide, though, already assembled, and there was clearly no advantage to him in using a gun without a serial number. There have probably been a few other suicides committed with ghost guns, but the time required to acquire the parts and assemble the gun would give most people who are considering suicide enough time to formulate better options than shooting themselves for dealing with their depression. Similarly, most gun related homicides are crimes of passion, committed by individuals known to the victim in the heat of a quarrel or what would otherwise have been a minor altercation had it not been for the availability of a gun;¹⁵ not pre-mediated murders committed by individuals with the expertise and motivation to assemble a ghost gun to settle their differences.

The Bureau of Alcohol, Tobacco, and Firearms (ATF) reported recovering 10,000 ghost guns in 2019,¹⁶ but this number probably exaggerates the extent to which ghost guns are used in crimes since ghost guns are inherently illegal because they lack serial numbers. The rest of the estimated 400 million privately owned guns in the United States become crime guns only after they're actually used in criminal activity.¹⁷ And while the number of ghost guns in circulation may be increasing, the sale of ghost gun components hasn't put a dent in the market for commercially manufactured guns. No one knows for sure how many commercially manufactured guns are sold every year in the United States since there is no universal requirement for firearm registration, but the number of FBI background checks performed annually for gun sales is the best indicator we have, and the number of background checks performed in 2020 reached a record high of nearly 40 million.¹⁸

Reigning in the sales of ghost gun components is part of the low hanging fruit, politically speaking, in the gun violence prevention arena, but even completely eradicating the sale of ghost gun components would have minimal if any effect in reducing rates of gun related deaths and injuries in our country.

The second action the President announced was to direct the Department of Justice to perform an update of the 2000 report by the ATF on gun trafficking in the United States. The focus of the 2000 ATF report was on tracing approximately 80,000 crime guns, leading to the conviction of 812 firearm dealers who had sold these guns illegally between July 1996 and December 1998.¹⁹ Forty-five percent of the investigations involved convicted felons who illegally bought, sold, possessed, or stole firearms. The report doesn't state how many of the crime guns that were traced were used to actually kill or wound someone, however, or what percentage of firearm related deaths and injuries the traced guns accounted for.

In his speech on April 8, the President claimed that the 2000 ATF report was of "pivotal value," and that, "It was an important tool for policymakers when I was in the Senate and beyond, at all levels, to stop firearms from being illegally diverted into dangerous hands." There is no doubt that it is important to prosecute and convict individuals who illegally buy,

sell, possess, or steal firearms. On the other hand, despite Biden's claim that the 2000 ATF report was of "pivotal value" in keeping firearms out of "dangerous hands," the number of gun related deaths in the United States rose from 28,663 in 2000 to 39,707 in 2019, the most recent year for which complete data are available from the CDC.²⁰ And according to unofficial data on the website Gun Violence Archive, the number of gun related deaths rose even higher in 2020, to a record level of 43,550.²¹ Another ATF report isn't going to stop our country's shameful epidemic of gun violence, and we don't need to wait for any further research from the ATF, from any other organization, or from any other individual to know that in order to stop the epidemic, we need to adopt stringent gun control laws in the United States comparable to the laws in the other high income democratic countries of the world.

The third action that the President announced was to require that modifications of firearms that make them potentially more lethal, like the stabilizing brace that the Boulder, Colorado mass shooter used to make his semi-automatic pistol function more like a rifle, be subject to the 1934 National Firearms Act that. The President's explained that National Firearms Act "requires that a potential owner pay a \$200 fee and submit their name and other identifying information to the Justice Department, just as they would if they went out and purchased a silencer for a gun." As I wrote at the beginning of this message, the measures proposed by the President to address what he calls "an international embarrassment" are themselves embarrassingly trivial. After mass shootings in Great Britain, Australia, and New Zealand, the governments of these countries didn't require permits and a nominal fee for people to continue to own the classes of weapons used in the shootings - they completely banned the entire classes of weapons.

The President's fourth proposed measure was "to make it easier for states to adopt extreme risk protection order laws" and for the federal government to develop a model for such laws.²² Extreme risk protection orders (ERPO's), which are also known as gun violence restraining orders (GVRO's) or, in the President's address, "red flag laws," allow family members or law enforcement to petition a judge to temporarily remove guns from individuals deemed to be at extreme risk of harming themselves or others. California has had an ERPO law in effect since 2016, and a study was done of the effectiveness of this law from 2016-2018.²³ During this period of time, ERPO's were used in 414 cases, and 52 firearms were temporarily recovered. During this same period of time, though, more than two million guns were sold in California;²⁴ the rate of gun deaths remained steady at over 3,000 per year;²⁵ and there were five mass shootings in which 31 people were killed and 46 people were wounded.²⁶ Clearly, it doesn't make sense to allow millions of people who have no legitimate reason for owning firearms to purchase them, and afterward, try to temporarily remove a tiny fraction of the guns sold from a few individuals who are feared to be at the most extreme risk for harming themselves or others.

The lack of effectiveness of ERPO's is illustrated by the mass shooting at the FedEx warehouse in Indianapolis, Indiana, on April 15, 2021, committed by 19 year old Brandon Hole. Hole's mother had contacted the FBI in April of 2020 to report that he was considering committing suicide. FBI officers interviewed Hole, placed him on a temporary mental health hold, and seized a pump action shotgun from his home.²⁷ Nevertheless, in September of 2020, Hole was able to pass a background check and legally purchase the two semi-automatic rifles he used to kill eight people and wound at least five others at the FedEx warehouse.²⁸

President Biden's April 8, 2021 Speech

As his fifth action to address the gun violence epidemic, President Biden announced in his April 8 speech that he was nominating David Chipman, a 25 year veteran of the ATF, to be the department's director. Biden noted that the ATF hadn't had a permanent director since 2015. Although Biden's action in nominating an ATF director is far better than the inaction of the previous president who left the position open, nominating a director of an agency that is chronically underfunded, understaffed, and required by law to use archaic methods to achieve its mission of regulating firearms is not going to have a significant effect in reducing gun violence. A far more significant action would have been for the President to announce that he was forming a new department, appropriately staffed and funded, dedicated specifically to stopping the shameful epidemic of gun violence in our country.

President Biden went on to make several other recommendations for preventing gun violence. He called on the Senate to pass a Senate version of H.R. 8, the House bill to require background checks for most gun purchases. If enacted into law, H. R. 8 would close the loophole in the original 1993 Brady Act that required background checks for gun sales done through federally licensed firearm dealers but not through private individuals. It's been estimated that up to 40% of gun transfers are done through private parties.²⁹

Enactment of H.R. 8 would be a small step forward in the right direction, but not a definitive solution to stopping the epidemic of gun violence in our country. Background checks, as they are done in the United States, are extremely crude instruments for determining who should or should not be allowed to possess a gun. Our country's guiding policy with regard to firearm ownership is a "permissive" one.³⁰ Anyone of a certain age who seeks to acquire a gun in the United States can legally do so unless the government can prove through a rudimentary background check that he or she falls into one or more relatively narrow categories of persons being prohibited from owning firearms.

Under current federal background check criteria, even most individuals who have gone on to commit mass shootings have been able to pass background checks and legally obtain the firearms that they used in their horrific crimes,³¹ and over the past five weeks, at least six more mass shooters have been added to that list. Most background checks are done instantly through a computer search of a federal database to see if the prospective gun buyer is on a list of individuals who fall into one or more categories of persons prohibited from owning a gun. The main categories are a history of conviction for a felony³² or a domestic violence misdemeanor; a history of involuntary commitment for mental illness; ongoing addiction to illicit drugs; or being subject to an active court restraining order for harassing, stalking, or threatening an intimate partner.³³ There have been several high profile cases in which even individuals who fell into one of these categories were still able to pass federal background checks because the responsible authorities did not report the individuals' prohibited status to the national database.³⁴

In all other high income democratic countries, background checks are a secondary safeguard, not a primary one. Under the restrictive guiding policy of all other economically advanced democracies, the prospective gun purchaser must first prove that he or she has a legitimate reason for owning a gun and can handle one safely. Furthermore, recognizing that there is no net protective value in owning or carrying a gun, many other high income democratic countries, including Great Britain, Australia, and New Zealand, don't accept "self defense" as a legitimate reason for acquiring a firearm.³⁵ If a person passes the initial screen for being eligible to purchase a gun, an extensive background check is then done by police who conduct in person interviews with the person seeking to acquire a gun and

with other people who know the person, including past and present domestic partners.

In his April 8 speech, the President also called on Congress to pass a new assault weapons ban (AWB), claiming that during the 10 years that the previous AWB was in effect (1994-2003), "the number of mass shootings actually went down." As I've noted above, *Mother Jones* magazine, not the federal government, is the best source for data on mass shootings. From 1983 through 2003, *Mother Jones* used the definition of a mass shooting as one in which at least four people, not including the perpetrator(s), were killed. Applying this definition to the 10 year epoch immediately before the federal AWB went into effect with the 10 years during which the AWB was in place, President Biden's claim that the number of mass shootings went down is true – but just barely. *Mother Jones* documented 17 mass shootings in the 10 year epoch prior to enactment of the AWB and 16 mass shootings during the 10 years that the AWB was in effect. It's unlikely, though, that the AWB was responsible for there being one less mass shooting.

Although there is clearly no legitimate reason for civilians to own automatic or semi-automatic firearms that are specifically designed to kill and maim large numbers of people in a short period of time, it is doubtful that the federal assault weapons ban had much effect at all during the 10 years that it was in force. The ban defined an assault weapon as a semi-automatic firearm that could accept a detachable magazine and that had at least two other features typically included on military weapons, such as a pistol grip, a thumb-hole in the stock, or a bayonet mount. The ban grandfathered in millions of assault weapons that were already in circulation, though, and it specifically exempted 86 different makes of semi-automatic firearms that did not meet the definition of an assault weapon, but that were potentially just as deadly. Moreover, U.S. gun manufacturers subsequently produced new models of firearms with minor modifications that evaded the definition of an assault weapon, mocking the ban by giving the new weapons prefixes like "AB" for "after ban" or "PCR" for "politically correct rifle."³⁶ A U.S. Department of Justice report summarized the shortcomings of the assault weapons ban with the statement:

The [assault weapons] provision targets a relatively small number of weapons based on features that have little to do with the weapons' operation, and removing those features is sufficient to make the weapons legal.³⁷

The new assault weapon ban that is being introduced by Senator Feinstein of California and Representative Cicilline of Rhode Island is somewhat more restrictive than the 1994 ban in that it defines an assault weapon as a semi-automatic firearm that can accept a detachable magazine and that has at least one, rather than two, other features typically included on military weapons. Like the 1994 ban, though, the proposed new one grandfathers in all the legally owned "assault weapons" already in private hands at the time that the law goes into effect.

Other countries like Great Britain, Australia, and New Zealand reacted to mass shootings committed with so-called "assault weapons" by banning all automatic and semi-automatic long guns, regardless of whether they had other features typically included on military weapons, and by requiring everyone who already owned any of the newly banned weapons to surrender them to be destroyed in return for monetary compensation. While it is too soon after the adoption of the 2019 New Zealand ban to evaluate its efficacy, there were no mass shootings in Australia for 22 years following the adoption of its semi-automatic long gun ban in 1996,³⁸ and there has been just one mass shooting in Great Britain since 1998 when the handgun ban was adopted in addition to the 1987 semi-

automatic long gun ban.³⁹ The rate of gun related deaths in Australia is currently 1/12th the rate in the United States, and the rate of gun related deaths in Great Britain is currently 1/60th the U.S. rate.⁴⁰ If President Biden is serious about ending our country's shameful epidemic of gun violence and preventing mass shootings, he should advocate a complete ban on all automatic and semi-automatic long guns with no grandfather clause, comparable to the bans adopted by Great Britain, Australia, and New Zealand.

Near the end of his April 8 address, President Biden made an indirect reference to the Lawful Commerce in Firearms Act, which Congress passed in 2005, giving gun makers and gun dealers a degree of immunity from products liability lawsuits not enjoyed by any other industry. The President made a folksy reference to repealing this immunity as being his top priority. Describing the gun industry as "the only outfit that is exempt from being sued," Biden stated:

If I get one thing on my list — the Lord came down and said, "Joe, you get one of these" — give me that one [repealing protection from products liability lawsuits for the gun industry].

The Lawful Commerce in Firearms Act doesn't give the gun industry absolute immunity from products liability lawsuits. A suit brought by the parents of the 20 firstgraders killed in the 2012 Sandy Hook Elementary School massacre against the maker of the semi-automatic rifle used by the young man who murdered their children is still proceeding slowly through the courts.⁴¹ But the Act makes it extraordinarily difficult for plaintiffs to prevail in such lawsuits. The Lawful Commerce Act was passed in 2005 by Congress specifically to stymie lawsuits in progress at the time, including one brought by families of the eight people killed in the mass shooting, known as the California Street Massacre, at a law firm in San Francisco in 1993.⁴² The California Street shooter used two TEC-9 semi-automatic pistols to commit the murders. The gunmaker, Navegar, had advertised the Tec-9 as an "assault-type pistol," as having a fingerprint resistant barrel, and as being "tough enough for your toughest customers;" and the company's CEO boasted that sales of the gun spiked every time it was used in a mass shooting.⁴³ Despite these egregious marketing tactics, the lawsuit against Navegar was thrown out as a result of the passage of the Lawful Commerce Act. And despite the federal AWB being in effect, an almost identical semi-automatic pistol was used in the 1999 Columbine High School mass shooting.⁴⁴

"Shameful" is not a strong enough word to describe the passage of the Lawful Commerce in Firearms Act by Congress and the signing of the bill into law by President George W. Bush in 2005. The Act should be repealed immediately. But like President Biden's other proposed actions, advocating repeal of products liability protection for the gun industry represents low hanging political fruit, not a definitive measure to stop our country's shameful epidemic of gun violence. Restoring the right of grieving families to bring costly, lengthy, and emotionally draining lawsuits against gun makers who profit from literally "making a killing" will not bring back their loved ones, nor will it have any significant effect in the foreseeable future in preventing other families from suffering similar tragedies.

Notably absent in the President's April 8 address is any direct mention of handguns, despite the fact that handguns are used in the vast majority of gun related deaths in our country, including most mass shootings,⁴⁵ and that owning or carrying a handgun confers far greater risk than benefit to the gun owner and the gun owner's family.⁴⁶ The omission of any direct mention of handguns is unlikely to be accidental.

President Biden's April 8, 2021 Speech

The President stated at the beginning of his address, "Nothing — nothing I'm about to recommend in any way impinges on the Second Amendment," and he emphasized that any argument to the contrary would be "phony." He reiterated near the end of his address, "Everything that's being proposed today is totally consistent with the Second Amendment."

The Second Amendment states, in its entirety:

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 President is correct in stating that none of the measures that he proposed were in conflict with the Second Amendment. His omission of any mention of regulating handguns, though, is probably a reflection of his awareness of the fact that in the rogue 2008 *Heller* decision, a narrow 5-4 majority of the U.S. Supreme Court reversed over two centuries of legal precedent in ruling that Washington DC's partial handgun ban violated the Second Amendment.⁴⁷

The President's first wish - if he were granted just one by a supreme being, a genie in a magic lamp, or by Congress - as the most important measure for stopping our country's shameful epidemic of gun violence shouldn't be to repeal products liability immunity for the gun industry. It should be to ban handguns. And he should have said in his April 8 speech that any claim that banning handguns violated the Second Amendment was not only "phony," but that he agreed with the late Supreme Court Chief Justice Warren Burger that any claim that the Second Amendment guarantees an individual right to any kind of gun ownership unrelated to service in a well regulated militia is "one of the greatest pieces of fraud - I repeat the word, 'fraud' - on the American public by special interest groups that I have ever seen in my lifetime."⁴⁸

The President should have also stated that if the Supreme Court doesn't promptly reverse the *Heller* decision, Justices Roberts, Thomas, and Alito - who were part of the 5-member majority in *Heller* - and the new darlings of the gun lobby, Justices Gorsuch, Kavanaugh, and Barrett - who were appointed to the Court by Biden's predecessor over the past four years - will soon find themselves with at least four additional associate justices who will join Justices Breyer, Kegan, and Sotomayor in overturning *Heller*.

I've discussed the egregious flaws in the *Heller* decision, including the gross distortions of historical facts, the circular reasoning, and the bombastic rhetoric in the *Heller* majority opinion, in previous Americans Against Gun Violence president's messages, including my most recent message on March 25, 2021. I won't go into further detail on the *Heller* decision here, other than to reiterate that in creating a constitutional obstacle, where none previously existed, to 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, *Heller* is literally a death sentence for tens of thousands of Americans annually; and that Americans Against Gun Violence is the only national organization in the entire United States that openly advocates overturning *Heller*; and also the only organization that has filed *amicus curiae* (friend of the court) briefs in important Second Amendment cases making the point that *Heller* was wrongly decided.

At the conclusion of his April 8 address, President Biden calls for patience, noting that it took five years to get the 1993 Brady bill passed and even longer to get the 1994 federal

President Biden's April 8, 2021 Speech

AWB passed. Patience can be a virtue in dealing with certain situations. It's not a virtue, though, in dealing with recurrent mass shootings, including massacres of first grade children; or in dealing with a preventable epidemic that, as President Biden correctly noted in his April 8 speech, results in the deaths of more than a hundred Americans and serious injuries to at least twice that many more on an average day.

More than half a century ago, the late 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.⁴⁹

Since Senator Dodd issued this statement in June of 1968, more U.S. civilians have died of gunshot wounds than all the U.S. soldiers killed in all the wars in which our country has ever been involved.⁵⁰

Please [contact the White House](#) and let President Biden know, with all due respect, that the measures he outlined in his April 8 speech are woefully inadequate to stop the shameful epidemic of gun violence in our country; and please urge him to have the political courage to openly state that the *Heller* decision was wrongly decided and must be overturned; and that the United States must urgently adopt stringent gun control laws comparable the laws in other high income democratic countries, including a complete ban on civilian ownership of handguns and all automatic and semi-automatic long guns. And please [contact your U.S. Senators and your U.S. Representative](#) and make the same request of them. And finally, [please join Americans Against Gun Violence](#), if you haven't already done so, and [please make an additional contribution](#), if you're able.

Thanks for your support. And thanks for your impatience.

Sincerely,



Bill Durston, MD
President, Americans Against Gun Violence

Note: Dr. Durston is a board certified emergency physician, a former expert marksman in the U.S. Marine Corps, and a combat veteran decorated for "courage under fire" during the Vietnam War.

References

-
- ¹ "Remarks by President Biden on Gun Violence Prevention," The White House, April 8, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/04/08/remarks-by-president-biden-on-gun-violence-prevention/>.
- ² "Principles of Epidemiology | Lesson 1 - Section 11," Centers for Disease Control and Prevention, May 11, 2020, <https://www.cdc.gov/csels/dsepd/ss1978/lesson1/section11.html>.
- ³ "Principles of Epidemiology | Lesson 1 - Section 11."
- ⁴ Erin Grinshteyn and David Hemenway, "Violent Death Rates: The US Compared with Other High-Income OECD Countries, 2010," *The American Journal of Medicine* 129, no. 3 (March 1, 2016): 266–73, <https://doi.org/10.1016/j.amjmed.2015.10.025>.
- ⁵ Ashish P. Thakrar et al., "Child Mortality In The US And 19 OECD Comparator Nations: A 50-Year Time-Trend Analysis," *Health Affairs* 37, no. 1 (January 2018): 140–49, <https://doi.org/10.1377/hlthaff.2017.0767>.
- ⁶ Max Fisher and Josh Keller, "What Explains U.S. Mass Shootings? International Comparisons Suggest an Answer," *The New York Times*, November 7, 2017, sec. Americas, <https://www.nytimes.com/2017/11/07/world/americas/mass-shootings-us-international.html>.
- ⁷ Michael J. North, "Gun Control in Great Britain after the Dunblane Shootings," in *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis* (Baltimore: The Johns Hopkins University Press, 2013), 185–93.
- ⁸ Rebecca Peters, "Rational Firearm Regulation: Evidence-Based Gun Laws in Australia," in *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis* (Baltimore: The Johns Hopkins University Press, 2013), 195–204; Philip Alpers, "The Big Melt: How One Democracy Changed after Scrapping a Third of Its Firearms," in *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis* (Baltimore: The Johns Hopkins University Press, 2013), 205–11; Josh Hafner, "Gun Control Bill in New Zealand Passes in Early Vote Following Attacks," USA Today, April 2, 2019, <https://www.usatoday.com/story/news/world/2019/04/02/gun-control-bill-new-zealand-vote-parliament-mosque-attacks/3341240002/>.
- ⁹ "Frequently Asked Questions About Ghost Guns," Center for American Progress, accessed April 17, 2021, <https://www.americanprogress.org/issues/guns-crime/reports/2021/04/02/497817/frequently-asked-questions-ghost-guns/>.
- ¹⁰ "Frequently Asked Questions About Ghost Guns."
- ¹¹ Mark Follman, Gavin Aronsen, and Deanna Pan, "US Mass Shootings, 1982-2020: Data from Mother Jones' Investigation," *Mother Jones* (blog), accessed October 11, 2020, <https://www.motherjones.com/politics/2012/12/mass-shootings-mother-jones-full-data/>.
- ¹² "Fatal Injury Data | WISQARS | Injury Center | CDC," Centers for Disease Control and Prevention, accessed September 11, 2016, <http://www.cdc.gov/injury/wisqars/fatal.html>.
- ¹³ "Effects of Waiting Periods on Suicide," Rand Campaign, April 22, 2020, <https://www.rand.org/research/gun-policy/analysis/waiting-periods/suicide.html>.
- ¹⁴ Rick Hurd, "Homemade Gun in Stanford Student's Murder-Suicide Spurs Question on 'Ghost Guns,'" *The Mercury News*, August 6, 2015, <https://www.mercurynews.com/2015/08/06/homemade-gun-in-stanford-students-murder-suicide-spurs-question-on-ghost-guns/>.
- ¹⁵ Josh Sugarmann, *Every Handgun Is Aimed at You: The Case for Banning Handguns* (New Press, 2001), 71–85.
- ¹⁶ Zusha Elinson, "Ghost-Gun Company Raided by Federal Agents," *Wall Street Journal*, December 11, 2020, sec. US, <https://www.wsj.com/articles/ghost-gun-company-raided-by-federal-agents-11607670296>.

¹⁷ "Small Arms Survey - Global Firearms Holdings," Small Arms Survey, accessed April 17, 2021, <http://www.smallarmssurvey.org/weapons-and-markets/tools/global-firearms-holdings.html>.

¹⁸ "NICS Firearm Checks: Month/Year by State," File, Federal Bureau of Investigation, accessed April 17, 2021, https://www.fbi.gov/file-repository/nics_firearm_checks_-_month_year_by_state.pdf/view.

¹⁹ "TREASURY, ATF RELEASE GUN TRAFFICKING INVESTIGATIONS REPORT" (Washington DC: U.S. Department of the Treasury, June 21, 2000), <https://www.treasury.gov/press-center/press-releases/Pages/ls723.aspx>.

²⁰ "WISQARS."

²¹ "Past Summary Ledgers," Gun Violence Archive, accessed April 17, 2021, <https://www.gunviolencearchive.org/past-tolls>.

²² "Remarks by President Biden on Gun Violence Prevention."

²³ Garen J. Wintemute et al., "Extreme Risk Protection Orders Intended to Prevent Mass Shootings," *Annals of Internal Medicine* 171, no. 9 (August 20, 2019): 655–58.

²⁴ "Gun Sales in California," Open Justice, accessed December 7, 2016, <https://openjustice.doj.ca.gov/firearms/overview#/>.

²⁵ "WISQARS."

²⁶ Follman, Aronsen, and Pan, "US Mass Shootings, 1982-2020."

²⁷ Steve Almasy, Jason Hanna, and Shannon Watts, "Police ID Gunman Who Killed 8 People at an Indianapolis FedEx Facility as 19-Year-Old Former Employee," CNN, April 17, 2021, <https://www.cnn.com/2021/04/16/us/indianapolis-shooting-fedex-facility/index.html>.

²⁸ "IMPD Says Assault Rifles Used in Thursday's Mass Shooting Were Purchased Legally," *Fox 59* (blog), April 18, 2021, <https://fox59.com/news/impd-says-assault-rifles-used-in-thursdays-mass-shooting-were-purchased-legally/>.

²⁹ "Federal Law on Background Checks | Law Center to Prevent Gun Violence," accessed September 18, 2016, <http://smartgunlaws.org/gun-laws/federal-law/sales-transfers/background-checks/>.

³⁰ George D. Newton and Franklin E. Zimring, "Firearm Licensing: Restrictive v Permissive," *Firearms & Violence in American Life: A Staff Report Submitted to the National Commission on the Causes and Prevention of Violence* (Washington, D.C.: U.S. Government Printing Office, January 1, 1969).

³¹ Including cases in which the legal status of the gun acquisition was unknown and in which some guns were purchased legally and others were not, 70% of mass shooters were known to have legally acquired all of the guns they used in the shooting. Follman, Aronsen, and Pan, "US Mass Shootings, 1982-2020."

³² *Kanter v. Barr*, 919 F. 3d 437 (Court of Appeals, 7th Circuit 2018).

³³ "Firearm Prohibitions," *Giffords Law Center* (blog), accessed October 18, 2020, <https://giffords.org/lawcenter/gun-laws/policy-areas/who-can-have-a-gun/firearm-prohibitions/>.

³⁴ See, for example: Michael S. Schmidt, "Background Check Flaw Let Dylann Roof Buy Gun, F.B.I. Says," *The New York Times*, July 10, 2015, sec. U.S., <https://www.nytimes.com/2015/07/11/us/background-check-flaw-let-dylann-roof-buy-gun-fbi-says.html>; David Montgomery, Richard A. Opiel Jr, and Jose A. DelReal, "Air Force Error Allowed Texas Gunman to Buy Weapons," *The New York Times*, November 6, 2017, sec. U.S., <https://www.nytimes.com/2017/11/06/us/texas-shooting-church.html>.

³⁵ "Gun Law and Policy: Firearms and Armed Violence, Country by Country," *GunPolicy.org*, accessed November 18, 2019, <https://www.gunpolicy.org/>.

³⁶ John Hendren, "Banned Gun Used in School Shooting," AP NEWS, April 23, 1999, <https://apnews.com/article/b5040489ff6eea011e94e3a560ae6412>.

³⁷ Christopher S. Koper, Daniel J. Woods, and Jeffrey A. Roth, "An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003; Report to the National Institute of Justice, United States Department of Justice" (Pittsburgh, Pennsylvania: Jerry Lee Center of Criminology, University of Pennsylvania, June 2014), 1–2, <https://www.ncjrs.gov/pdffiles1/nij/grants/204431.pdf>.

³⁸ Simon Chapman, Philip Alpers, and Michael Jones, "Association between Gun Law Reforms and Intentional Firearm Deaths in Australia, 1979-2013," *Journal of the American Medical Association* 316, no. 3 (July 19, 2016): 291–99, <https://doi.org/10.1001/jama.2016.8752>.

³⁹ North, "Gun Control in Great Britain after the Dunblane Shootings."

⁴⁰ "Gun Law and Policy: Firearms and Armed Violence, Country by Country."

⁴¹ Ann E. Marimow, "Supreme Court Allows Families of Sandy Hook Shooting Victims to Sue Gunmaker Remington," *Washington Post*, November 12, 2019, https://www.washingtonpost.com/local/legal-issues/supreme-court-allows-families-of-sandy-hook-shooting-victims-to-sue-gunmaker-remington/2019/11/12/7f6a3afe-055a-11ea-b17d-8b867891d39d_story.html.

⁴² Nancy McCarthy, "10 Years after 101 California Street Shooting, Repercussions Reverberate," *California Bar Journal*, July 2003, <http://archive.calbar.ca.gov/archive/Archive.aspx?articleId=50515&categoryId=50836&month=7&year=2003>.

⁴³ Frank M. Pitre, "Assault Weapons: The Case Against The TEC-9," Cotchett, Pitre, & McCarthy LLP, 1996, https://www.cpmlegal.com/publication-Assault_Weapons_The_Case_Against_The_TEC_9.

⁴⁴ Hendren, "Banned Gun Used in School Shooting."

⁴⁵ Follman, Aronsen, and Pan, "US Mass Shootings, 1982-2020"; "Mass Shootings | Gun Violence Archive," accessed November 17, 2017, <http://www.gunviolencearchive.org/reports/mass-shooting>.

⁴⁶ Sugarmann, *Every Handgun Is Aimed at You*.

⁴⁷ *District of Columbia v. Heller*, 554 US (Supreme Court 2008).

⁴⁸ Warren Burger, PBS News Hour, December 16, 1991, c.

⁴⁹ Thomas Dodd, "Text of Speech by Senator Thomas Dodd on Floor of U.S. Senate: The Sickness of Violence and the Need for Gun Control Legislation" (Office of Senator Thomas Dodd, June 11, 1968), http://thedoddcenter.uconn.edu/asc/research/gun_control.htm#; Thomas Dodd, "Press Release: Pious Condolences Will No Longer Suffice" (Office of Senator Thomas Dodd, June 10, 1968), http://thedoddcenter.uconn.edu/asc/research/gun_control.htm#.

⁵⁰ Louis Jacobson, "More Americans Killed by Guns since 1968 than in All U.S. Wars, Columnist Nicholas Kristof Writes," @politifact, August 27, 2015, <http://www.politifact.com/punditfact/statements/2015/aug/27/nicholas-kristof/more-americans-killed-guns-1968-all-wars-says-colu/>.