



Americans Against Gun Violence
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2024 Essay Contest \$1,000 Scholarship Award Winner

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The Heller Fallout: Guns Kill People

I am sick and tired of hearing, "Guns don't kill people; people kill people." This argument became even more popularized by the NRA after the landmark Supreme Court case of *District of Columbia v. Heller* (2008), in which a narrow five to four majority of justices reversed over two centuries of legal precedent by ruling that the Second Amendment protects an individual's right to own a gun unconnected with service in a militia.

Authored by Justice Antonin Scalia, the majority opinion in *Heller* effectively rewrote the Second Amendment that was ratified in 1791, setting America back 217 years by creating constitutional barriers that diminished federal, state, and local government's ability to implement effective gun control measures. The result has been an explosion in gun ownership, making it easier to buy guns than to regulate their safe use.

Sixteen years after *Heller*, there are more guns than people in the United States - 474 million guns, according to recent estimates, compared with 333 million people!¹This rise in gun ownership has led to a proliferation in gun violence. Data from the Centers for Disease Control and Prevention show that the annual number of people killed with guns in our country rose from 31,393 in 2008, the year of the *Heller* decision, to 48,204 in 2022 – a 53% increase.²

However, gun lobbyists continue to tout the ruling in *Heller* that private citizens have a constitutional right to keep guns in their homes for “self-defense.” But are we really safer with more guns in American homes? Research has shown that for every one time a gun in the home is used to kill an intruder, there are 43 gun-related suicides, homicides, or fatal accidental shootings of a household member.³ Additionally, firearms are now the leading cause of death of children and teens in the United States,⁴ and the likelihood of accidental deaths or suicide in children

and youth is four times higher for kids who live in homes with guns.⁵ Other studies have shown that the rate of gun related deaths for children under the age of 15 is 12 times higher in the United States than in other high-income developed countries,⁶ and the rate of gun related homicides of high school age youth is 82 times higher.⁷

With gun ownership being mostly unregulated, the connection between the rise in gun ownership and gun violence is indisputable. But the danger isn't simply the number of guns. It is the type of guns we're allowing people to purchase in this country legally. The accessibility to semi-automatic pistols and rifles equipped with high capacity magazines has led to an increase in both the frequency of mass shootings and the number of people killed and wounded per mass shooting.⁸

It is clear that gun violence is causing overwhelming suffering and pain in our country. So please, let's move beyond the tired debate of whether guns kill people or people kill people. The reality is that people with guns kill people far more often than people without guns, and we cannot neatly separate the two issues. What we should be debating is how to overturn the *Heller* decision; restore the Second Amendment to its original meaning – a collective right of the states to maintained armed militias (in other words, the current National Guard) - and adopt stringent gun control laws in our country comparable to the laws in other developed democracies. For our own safety and the safety of future generations, it's critically important that we take these measures as soon as possible.

¹ Jennifer Mascia, "How Many Guns Are Circulating in the U.S.?", The Trace, March 6, 2023, <https://www.thetrace.org/2023/03/guns-america-data-atf-total/>.

² "WISQARS Years of Potential Life Lost (YPLL) Report, 1999 and Later - NCIPC," accessed May 21, 2024, <http://webappa.cdc.gov/sasweb/ncipc/ypll10.html>.

³ Arthur L. Kellermann and Donald T. Reay, "Protection or Peril? An Analysis of Firearm-Related Deaths in the Home," *New England Journal of Medicine* 314, no. 24 (June 12, 1986): 1557–60, <https://doi.org/10.1056/NEJM198606123142406>.

⁴ Jason E. Goldstick, Rebecca M. Cunningham, and Patrick M. Carter, "Current Causes of Death in Children and Adolescents in the United States," *New England Journal of Medicine* 386, no. 20 (May 19, 2022): 1955–56, <https://doi.org/10.1056/NEJMc2201761>.

⁵ Judy Schaechter, "Guns in the Home: How to Keep Kids Safe," HealthyChildren.org, June 24, 2024, <https://www.healthychildren.org/English/safety-prevention/at-home/Pages/Handguns-in-the-Home.aspx>.

⁶ "Rates of Homicide, Suicide, and Firearm-Related Death among Children--26 Industrialized Countries," *Morbidity and Mortality Weekly Report* 46, no. 5 (1997): 101–5.

⁷ 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>.

⁸ "PROBLEM TURNS EPIDEMIC," American Enlightenment Project, n.d., accessed April 20, 2024.