



EXPLAINING KEY GUN VIOLENCE PREVENTION ISSUES IN THE STATES

CRIMINAL BACKGROUND CHECKS ON ALL GUN SALES

aka "universal background checks"

What: Closing the loophole in federal law that makes it easy for criminals who are prohibited from having guns to buy them from unlicensed sellers (such as those met online or at a gun show, who are not required to run criminal background checks on the strangers they sell guns to.)

Why: Since instant background checks on gun purchases at licensed dealers went into effect in 1998, more than 3 million gun sales to convicted felons, domestic abusers and people with dangerous mental illnesses have been prevented. But because the law only requires background checks on sales at licensed gun dealers, 1 in 5 gun sales occur outside of the system, between unlicensed individuals. Research shows that felons, domestic abusers and other people with dangerous histories are taking advantage of this loophole to avoid a background check by purchasing firearms from unlicensed sellers — such as those often found online or at a gunshow — no questions asked.

Background: Criminal background checks on firearm purchases are a quick and easy process to determine if a buyer is prohibited by federal or state law from purchasing a firearm.

When a person tries to buy a gun from a licensed dealer, the dealer runs their information through the National Instant Criminal Background Check System (NICS), which instantly checks to see if the person is prohibited from having guns under federal or state law.

Under current federal law, background checks are only required on buyers at licensed firearms dealers, not sales between individuals who meet online or at gun shows. Nineteen states and the District of Columbia have enacted laws to close this loophole, but until we make criminal background checks on all gun sales federal law, it will be too easy for criminals to purchase guns.

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KEEPING GUNS OUT OF THE HANDS OF DOMESTIC ABUSERS

What: Enacting laws to prohibit gun possession by convicted domestic abusers and abusers under active restraining orders, and ensuring that there is a clear process in place for abusers who become prohibited from having firearms to turn in the guns they already possess. In addition, closing the "boyfriend loophole" to ensure that all domestic abusers are prohibited from having guns, whether or not they have been married to their victims, and ensuring that convicted stalkers are prohibited from having guns.

Why: The vast majority of women killed with guns in the United States are killed by intimate partners or family members and the presence of a gun in a domestic violence situation makes it five times more likely that a woman will be killed. Closing these loopholes would protect victims of domestic violence and the public and help save lives. No one believes domestic abusers should have the ability to use guns to terrorize their victims and as long as domestic abusers and other dangerous people can keep guns they already own, public safety is at risk. Research shows that states that restrict access to guns by people subject to domestic violence restraining orders — including dating partners — see a 10 percent reduction in intimate partner gun homicides.

Background: Existing federal law prohibits gun possession by convicted domestic abusers and abusers under restraining orders, but only if they are or have been married to the woman they abuse, cohabit, or have a child together.

When states pass laws that match the federal prohibitions on gun possession by domestic abusers, it enables state and local law enforcement and prosecutors to enforce the law and bring abusers to justice if they have guns illegally. Finally, if state law establishes a clear gun relinquishment procedure, it ensures that when a domestic abuser becomes prohibited from having guns, he can't simply leave court and go home to the guns he already has. Since 2013, 25 states have enacted 39 separate bills to keep guns out of the hands of domestic abusers. The vast majority were bipartisan, and many were signed by Republican governors including Robert Bentley, Mike Pence, Bobby Jindal, Chris Christie, Nikki Haley, Gary Herbert, and Scott Walker.

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RED FLAG LAWS

What: When a person is in crisis and at risk of harming themselves or others, family members or law enforcement often become aware of “red flag warnings.” Red Flag Laws allow a family member or law enforcement official to ask a court for an extreme risk protection order to temporarily suspend access to guns by a person who poses a threat to him or herself or others.

Why: Mass shooters often display warning signs before committing violent acts. Red Flag Laws also address another American gun violence epidemic — firearm suicide, which accounts for nearly two-thirds of gun deaths in the United States. Reducing a suicidal person's access to firearms can save lives. Nine out of ten suicide attempts with a gun result in death. By contrast, most people who attempt suicide by other means live — and do not eventually die by suicide. A 2017 study of Connecticut's Red Flag Law found that the law has already averted an estimated 72 or more suicides.

Background: By creating a legal process to obtain an extreme risk protection order to remove guns from a dangerous situation, Red Flag Laws provide an opportunity to intervene before a tragedy occurs. While a short-term emergency order may be issued by a court when a person poses an immediate danger, anyone subject to long-term orders is able to participate in a hearing and have due process before a judge before any ruling is made by a court.

PROHIBITING BUMP STOCKS

What: Prohibit bump stocks and other devices that allow people to skirt long standing federal law and essentially convert semi-automatic weapons into fully automatic weapons.

Why: In the deadliest mass shooting in modern American history, the shooter used bump stock devices attached to multiple firearms to kill 58 people and injure hundreds at a music festival in Las Vegas, NV. Since Las Vegas, the states have stepped in where Congress has failed to lead. Massachusetts and New Jersey have recently passed bills to prohibit bump stocks. Both bills were signed by Republican Governors. And, new proposals to prohibit bump stocks have been introduced in red and blue states around the country. We must act to close gaps that allow firearm accessories to effectively convert rifles into fully automatic weapons, which have no sporting or hunting purpose.

Background: Automatic weapons — commonly known as machine guns — have been tightly regulated in the U.S. since the 1930s. However, gun manufacturers have exploited gaps in the law to sell bump stocks and dozens of other devices and workarounds, such as trigger cranks and drop-in triggers, that circumvent existing regulations and effectively make rifles into nearly automatic weapons.

FUNDING GUN VIOLENCE PREVENTION RESEARCH

What: Publicly funded, objective and data-driven scientific research that seeks to determine and address the causes of gun violence, its consequences for public health and common-sense solutions.

Why: We know that data-driven research is the best way to find common-sense policies that reduce gun violence — and reduce the fervor and tenor of the conversation on how to increase gun safety in America. If we don't recognize the American gun crisis as a public health problem, and study it as one, we will never be able to solve it.

Background: The gun lobby has long stood in the way of scientific research on how gun violence affects public health, and the best objective policies to reduce it. Since 2003, the gun lobby has successfully imposed restrictions on how local governments and elected officials can use and share the information they gather about guns used in crimes — hampering the ability to find data driven solutions to address the causes of gun violence that plague our communities.

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STOPPING PERMITLESS CARRY

What: The gun lobby's top state legislative priority, "Permitless Carry" bills seek to dismantle a state's concealed carry permit requirement and let people carry concealed handguns in public with no permit, no criminal record check, and no safety training.

Why: Permitless carry dramatically lowers the bar for who can carry a concealed handgun in public, to include in some cases violent criminals and weapons offenders, teenagers, and people who have no firearm safety training. Unsurprisingly, states that pass this legislation see substantial increases in firearms violence — in Alaska, the annual number of aggravated assaults with a firearm increased by 81% since permitless went into effect, and in Arizona the increase was 44%.

Background: The vast majority of states require a person to get a permit before they can legally carry a concealed handgun in public. Permits ensure that core public safety standards are preserved when people carry concealed guns in public places, such as making sure applicants have completed handgun safety training and giving law enforcement the ability to deny a permit to people who pose a danger to the community.

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KEEPING GUNS OUT OF SCHOOLS AND OFF COLLEGE CAMPUSES

What: Forcing colleges, universities and K-12 schools to allow people to walk around their campus armed.

Why: Recently, the gun lobby has focused on state laws that would force colleges, universities and K-12 schools to allow guns on their campuses, despite the opposition of educators, administrators and law enforcement.

Background: Going back to our Founding Fathers, our nation has a rich history of keeping guns out of our K-12 schools and universities. Educators and law enforcement officials agree that the presence of guns in schools increases the risk of harm from unintentional shootings and conflicts that escalate, and that it shouldn't be up to our children, or their teachers or professors, to act as sharpshooters in the event of an emergency.

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STOPPING GUN TRAFFICKING AND STRAW PURCHASING

What: Gun trafficking is the process by which guns are diverted from legal channels into the illegal market, and most often occurs when guns that are bought in states with weaker gun laws are then transported to states with stronger gun laws.

Why: Gun trafficking is exacerbated by straw purchases, when someone knowingly buy guns for people who cannot legally purchase them on their own. Together, straw gun purchases and interstate gun trafficking undermine and circumvent state public safety laws.

Background: Shockingly, there is no existing federal law that specifically and effectively makes gun trafficking a federal crime. ATF agents have even testified to Congress that existing federal laws against gun trafficking are "toothless" and make it "difficult to obtain convictions."

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PROMOTING RESPONSIBLE GUN STORAGE AND OWNERSHIP

What: Emphasizing common-sense gun ownership, including securing all guns in one's home and vehicles, modeling responsible behavior around guns, asking about the presence of unsecured guns in other homes, recognizing the risks of teen suicide and encouraging one's peers to responsibly store and secure their firearms.

Why: Responsible gun storage is a public safety issue. Almost 1.7 million U.S. children live in homes with firearms that are both unlocked and loaded. Every year, nearly 300 children age 17 and under gain access to a gun and unintentionally shoot themselves or someone else, and nearly 500 more die by suicide with a gun. Many of these deaths are entirely preventable with responsible gun storage.

Background: Studies show that no matter what you tell kids, they're most likely to pick up the gun. The responsibility is always on adults to store guns responsibly. These are preventable tragedies, not accidents.

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