

The background of the entire image is a close-up, slightly blurred view of the American flag, showing the stars and stripes in a wavy pattern.

Gun Facts

VERSION 3.0

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"In the name of freedom and truth"

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PURPOSE

Gun Facts is designed to serve those defending the Constitution of the United States of America, and the Second Amendment in particular. The goal of Gun Facts is to give you a quick reference guide for composing arguments for debates, letters to editors, email to your representatives, and statements to the media.

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QUESTIONS, CORRECTIONS AND SUGGESTIONS

If you need to communicate with the author, please send e-mail to guys@home.net. Your corrections, comments, additions, and suggestions are welcomed and encouraged. When providing new information, please cite the original reference (this is essential).

SOURCES

All sources cited in this work are accurate to the best of my research. I use the most recent data I can easily find. If any more recent data is available (even if it weakens my arguments), I welcome receiving the same.

CONTRIBUTIONS

I accept non-tax-exempt donations to pay for the software, hardware, paper, and ink used in composing, editing, and distributing Gun Facts. If you would like to help, drop by www.PayPal.com and send your donations to guys@home.net.

PALM PILOT USERS

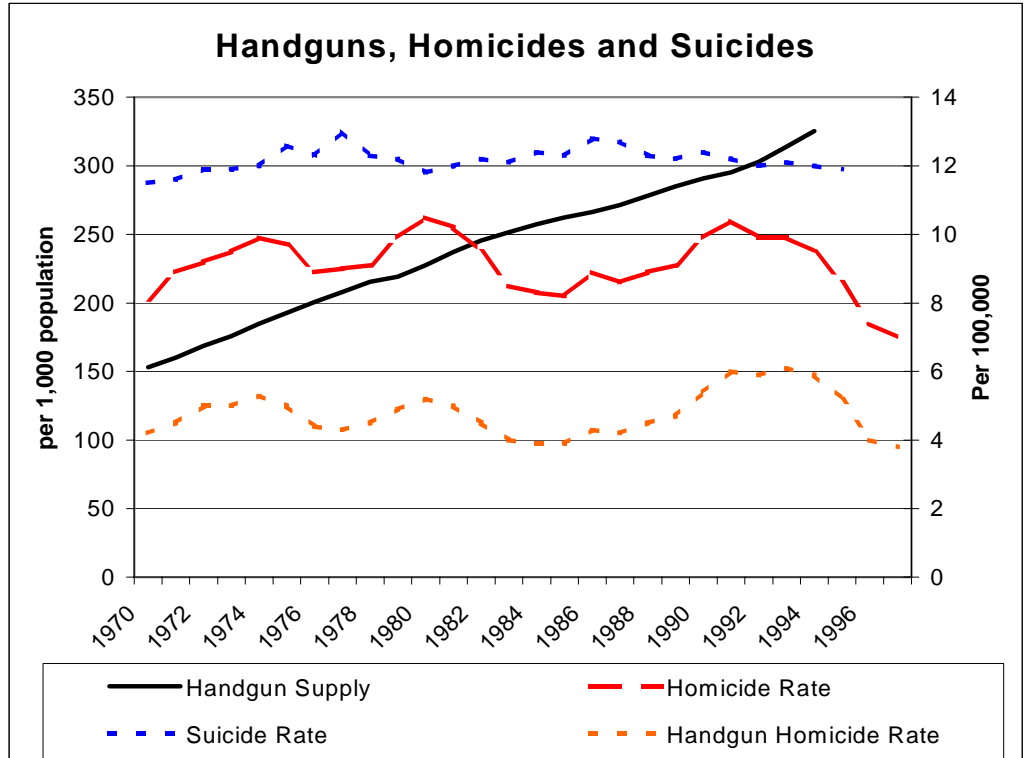
Adobe now offers a PDF reader for the Palm. Reports indicate that Gun Facts can be read fairly well using it. See <http://www.adobe.com/products/acrobat/readstep.html>

THE AVAILABILITY OF GUNS

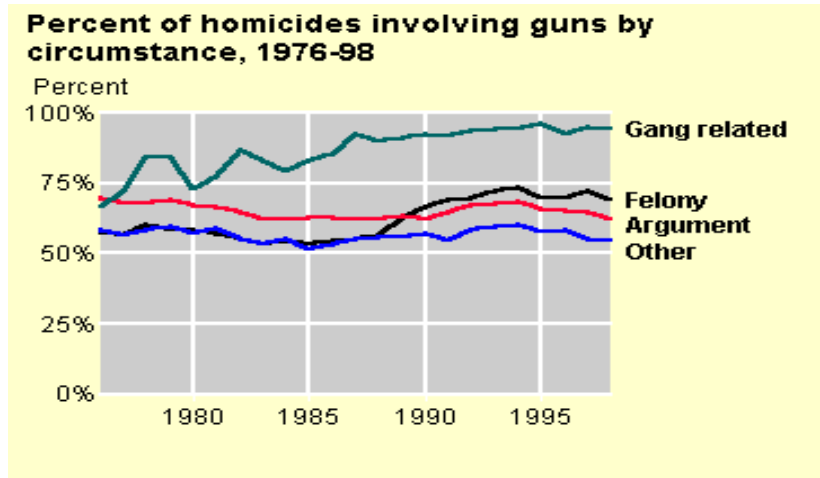
Myth: The availability of guns cause crime

Fact: Though the number of firearms owned by private citizens has been increasing steadily since 1970, the overall rate of homicides and suicides has not risen.¹

As the chart shows, there is no correlation between the availability of firearms, the homicide rate, or the suicide rate in America.



Fact: Most gun-related crime is caused by gang activity.² These organized bands of criminals commit many crimes, and guns are tools they use. Control gangs and you will control gun violence (consider that more than 28% of kids in high school report street gun presence at their schools³).



¹ Prof. Gary Kleck, "Targeting Guns: Firearms and their control", w/ supporting data from the FBI Uniform Crime Statistics, 1972 to 1995

² FBI, Uniform Crime Statistics, 1976-98

³ Kathryn A. Chandler et al., Students' Reports of School Crime: 1989 and 1995, NCES 98-241/NCJ-169607 (Washington, DC: U.S. Departments of Education and Justice, 1998), p. SCS, see Appendix 8.

Fact: Five out of six gun-possessing felons obtained handguns from the secondary market and by theft, and "criminal handgun market is overwhelmingly dominated by informal transactions and theft as mechanisms of supply."⁴

Fact: The majority of handguns possessed by criminals are stolen, although not necessarily by the criminal in question.⁵

Fact: Per capita firearm ownership rates have remained relatively unchanged since 1959 while crime rates have gone up and down depending on economics, drug trafficking innovations, and "get tough" legislation.⁶

Thoughts: Criminals are not motivated by guns. They are motivated by opportunity. Attempts to reduce public access to firearms provide criminals more points of opportunity. It is little wonder that high-crime cities also tend to be those with the most restrictive gun control laws – which criminals tend to ignore.

Myth: Gun availability is what is causing school shootings

Fact: Schoolyard shootings have been occurring since at least 1974, so it is not a new phenomenon due to increases in gun ownership.⁷

Fact: More than ½ of these terrorists start thinking about their assaults two or more weeks before the shooting, and ¾ planned-out their attacks.⁸

Thoughts: In rural areas, guns are everywhere and children are taught to shoot at young ages. But these areas are almost devoid of schoolyard shootings. Clearly, availability is not the issue.

Myth: Handguns are 43 times more likely to kill a family member than a criminal

Fact: Of the 43 deaths reported in this flawed study, 37 (86%) were suicides. Other deaths involved criminal activity between the family members (drug deals gone bad).⁹

⁴ James D. Wright, U.S. Dept of Justice, The Armed Criminal in America: A Survey of Incarcerated Felons 2 (1986).

⁵ Gary Kleck, Targeting Guns: Firearms and Their Control 97 (1997).

⁶ Ibid., based on a compilation of 85 separate surveys from 1959 through 1996.

⁷ United States Secret Service Threat Assessment Center, Interim Report on the Prevention of Targeted School Violence, October 2000

⁸ Ibid.

⁹ Arthur L. Kellerman, Protection or Peril?: An Analysis of Firearm-Related Deaths in the Home, 314 New Eng. J. Med. 1557-60 1986. Kellerman admits that his study did "not include cases in which burglars or intruders are wounded or frightened away by the use or display of a firearm." He also admitted his study did not look at situations in which intruders "purposely avoided a home known to be armed." This is a classic case of a "study" conducted to achieve a desired result. In his critique of this "study", Gary Kleck notes that the estimation of gun ownership rates were "inaccurate", and that the total population came from a non-random selection of only two cities.

Fact: Of the remaining deaths, the deceased family members include felons, drug dealers, violent spouses committing assault, and other criminal activities.¹⁰

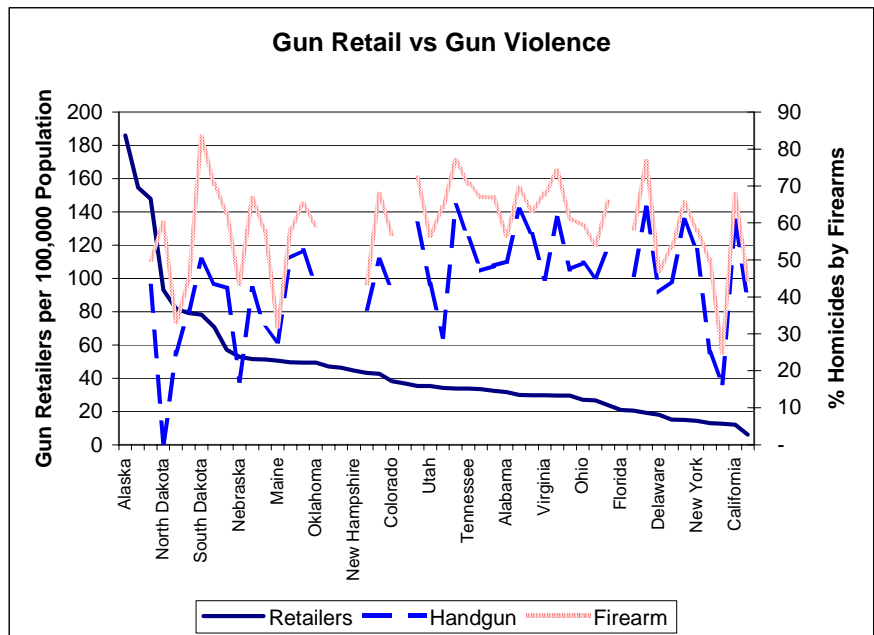
Fact: Only 0.1% (1 in a thousand) of the defensive uses of guns results in the death of the predator.¹¹ This means you are infinitely more likely to prevent a crime without bloodshed than hurt a family member.

Myth: High gun retail rates lead to more gun violence

Fact: There is no correlation between the number of gun retailers in any state, and the firearm homicide rate in that state. Indeed, California has the lowest number of gun retailers per capita, and yet has a firearm-related homicide rate that is 50% higher than New Jersey.¹²

Fact: Most guns used in crimes are stolen. In fact, more than 27,000 lost or stolen firearms were reported by federal firearm licensees between 1998 and 1999.¹³

Fact: A mere 16% of guns used in crimes were obtained from normal retail outlets by the criminal.¹⁴



Myth: 58% of murder victims are killed by either relatives or acquaintances

Fact: “Acquaintance” murders are primarily drug buyers killing drug pushers, cabdrivers killed by “customers”, gang members killing other gang members, prostitutes killed by their johns, and so on.¹⁵

¹⁰ Ibid.

¹¹ Dr. Gary Kleck, “Point Blank: Guns and Violence in America.” New York: Aldine de Gruyter. 1991.

¹² Homicide data from 1998 FBI Uniform Crime Statistics. Retailer counts by the Bureau of Alcohol, Tobacco and Firearms.

¹³ James Johnson, Treasury Undersecretary for enforcement, August 29, 2000, AP Wire Services

¹⁴ James Wright, Peter Rossi, “The Armed Criminal in America: A Survey of Incarcerated Felons”, 1986, National Institute of Justice Research Report

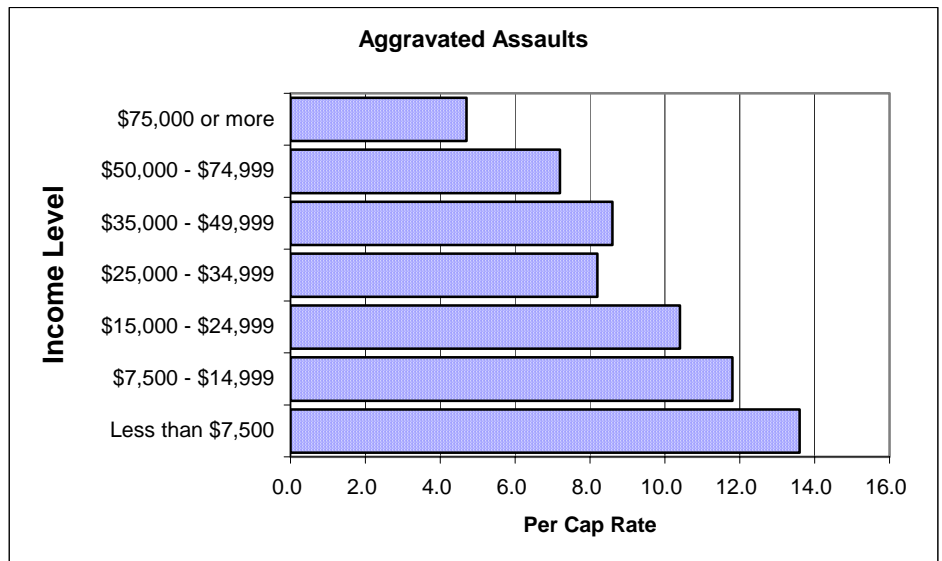
Fact: Only one city, Chicago, reports a precise breakdown on the nature of acquaintance killings: Between 1990 and 1995 only 17% of murder victims were family members, friends, neighbors and/or roommates. The rest were people with criminal records, killed by other criminals.

Fact: Over 66% of murderers have long histories of violence against not only their enemies and other "acquaintances," but also against their relatives.¹⁶

Fact: In 73% of these gun-defense incidents, the attacker was a stranger to the intended victim. (Defenses against a family member or intimate were rare -- well under 10%.)¹⁷

Myth: Guns in poor communities cause many deaths

Fact: Lower income individuals are exposed to more violent crime than those from higher income households. Persons with household incomes of less than \$35,000 per year live with significantly higher violent crime rates when compared with those who had household incomes of \$35,000 or more per year.¹⁸ Thus, *the higher incident of gun violence is a reflection of the overall higher violent crime rate in poor communities, not the presence of guns.*



Drop by www.FundTheCause.com and contribute to all of the pro-rights organizations.

¹⁵ Arthur L. Kellerman, Protection or Peril?: An Analysis of Firearm-Related Deaths in the Home, 314 New Eng. J. Med. 1557-60 1986.

¹⁶ US Bureau of Justice Statistics, Murder in families, 1994

¹⁷ Gary Kleck and Marc Gertz, "Armed Resistance to Crime: The Prevalence and Nature of Self-Defense with a Gun", The Journal of Criminal Law & Criminology, Northwestern University School of Law, Volume 86, Number 1, Fall, 1995

¹⁸ U.S. Department of Justice, National Crime Victimization Survey 1998

CHILDREN AND GUNS

Myth: 13 children are killed each day by guns

Fact: Adults included – This “statistic” includes “children” up to age 19 or 24, depending on the source. Since most violent crime is committed by males ages 16-24, these numbers include adult gang members dying during criminal activity¹⁹ (incidentally, ‘[child](#)’ is defined by Webster as a person between birth and puberty, typically 13-14 years).

Fact: Criminals are included - 70% of these deaths are adults, age 17-20, *involved in gang warfare*. Half of the juveniles killed are involved in gang activity at the time of their deaths, often involved in drug related firefights.

Fact: Suicides and criminals included - These numbers include criminal activities and suicides.²⁰ As suicides make up more than ½ of all gun deaths, the number drops even further, to less than one per day.

When you do all the subtraction, the result is less than one child per day

Fact: Over 13 teenagers die every day at the wheel of their automobiles.²¹

Fact: Four children die each day in the U.S. from parental neglect and abuse.²²

Thought: Perhaps we should register and license parents

Fact: For contrast, consider this: 1,680 children die each day from malaria²³ and that 15 men, women and children per day are murdered by a convicted felon in a supposedly government supervised parole/probation program.²⁴

Myth: Stricter gun control laws could have prevented the Columbine massacre

Fact: Harris and Klebold violated close to 20 firearms laws in obtaining weapons. Would 21 laws really have made a difference? The two shotguns and rifle used by Harris and Klebold were purchased by a girlfriend who passed a background check, and the TEC-9 handgun used was already banned.

¹⁹ FBI Uniform Crime Statistics, 1997

²⁰ National Center for Health Statistics, 1997

²¹ 1999, National Safety Council

²² National Center on Child Abuse Prevention, 1998 Annual Survey

²³ U.N. World Health Organization, 2000

²⁴ 1998 US Bureau of Justice Statistics

Myth: School yard shootings are an epidemic

Fact: In states without “right to carry” laws, there have been 15 school shootings. In states that allow citizens to carry guns, there has been only one.²⁵

Fact: The five school shootings which occurred during the '97-98 school year took place after the 1995 Gun-Free School Zones law was enacted, banning guns (including lawfully possessed concealed handguns) within 1,000 feet of a school.²⁶

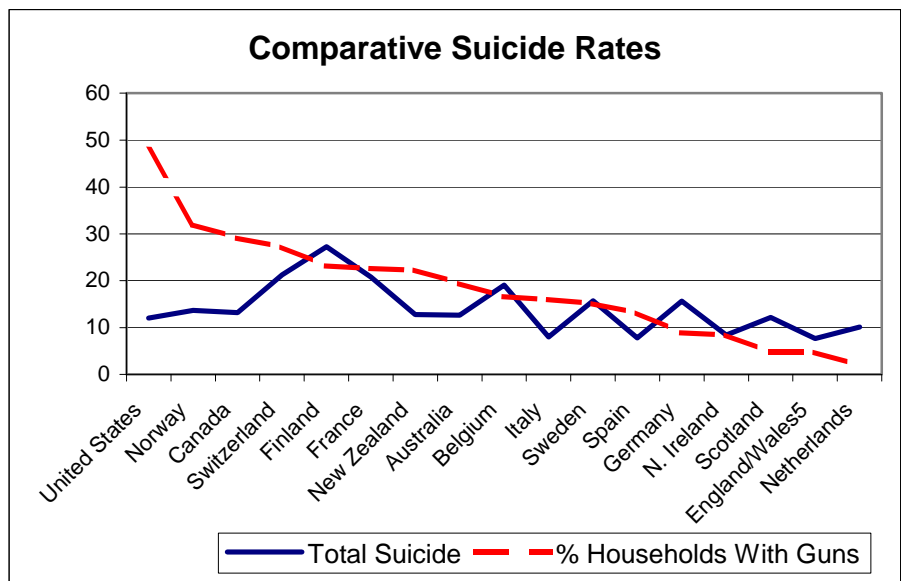
Fact: In the school shooting in Pearl, Mississippi, the assistant principal had formerly carried a firearm to school. When the 1995 "Gun-Free School Zones" law passed, he began locking his firearm in his car and parking it at least a quarter-mile away from the school. When that shooting incident started he ran to his car, unlocked it, got his gun, ran back, disarmed the shooter and held him on the ground for five minutes until the police arrived. Had the law not been passed, the assistant principal might have prevented the two deaths and seven shooting related injuries.

Schoolyard Shootings	
1992-93	55 deaths
1993-94	51 deaths
1994-95	20 deaths
1995-96	35 deaths
1996-97	25 deaths
1997-98	40 deaths

Myth: More than 1,300 children commit suicide with guns

Fact: This statistic includes “children” ages 18-19 (hardly kids).

Fact: Worldwide, the per capita suicide rate is fairly static (in fact, the suicide rate of the U.S. is lower than many industrial countries, including many that have banned private gun ownership). This indicates a certain fraction of the population will commit suicide regardless of the tools available. Will we ban razor blades and bridges?



Fact: The firearm and non-firearm rate of suicide among children age 15 and under was virtually unchanged in states that passed and maintained “safe storage” laws for four or more years.²⁷

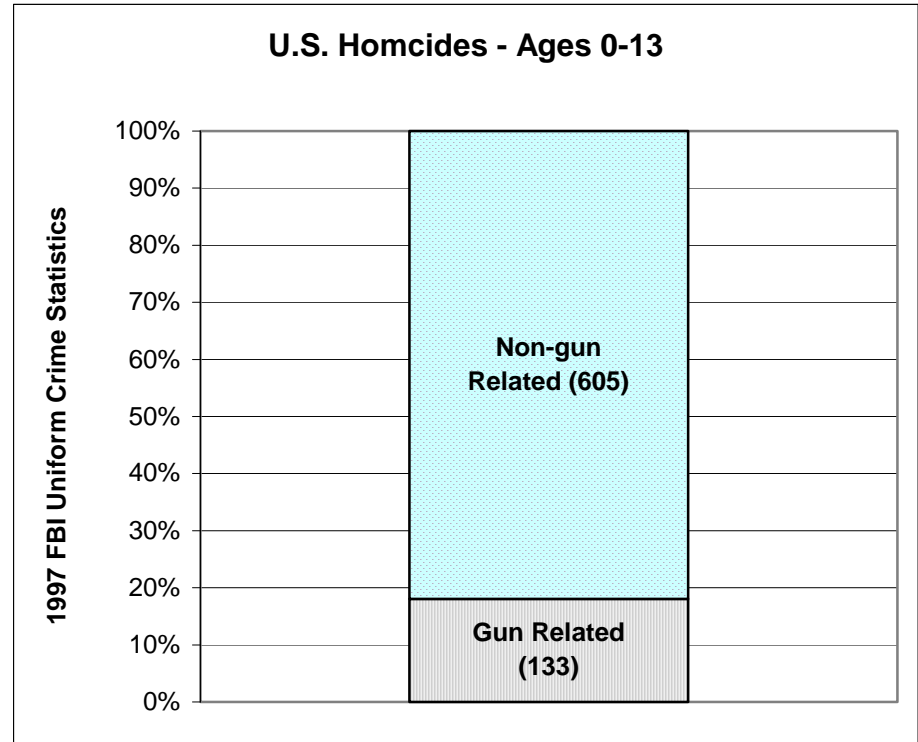
²⁵ Lott J, Landes W; "Multiple Victim Public Shootings, Bombings, and Right-to-Carry Concealed Handgun Laws: Contrasting Private and Public Law Enforcement"; University of Chicago – covers years 1977 to 1995

²⁶ Ibid.

Myth: Guns in America spark youth violence

Fact: The juvenile non-firearm violent crime rate in the U.S. is twice as high as in 25 other industrialized western nations. The non-firearm infant-homicide rate in the U.S. is 3.5 times higher.²⁸ This shows we have a violence problem in the U.S. – not a “gun” problem.

Fact: Indeed, non-firearm related homicides for kids out-rank gun related homicides by kids almost 5-to-1²⁹



Myth: If it saves the life of one child, it is worth it

Fact: Firearms in private hands are used 2.5 million times each year to prevent crime, or 6,849 times every day³⁰, including rapes, aggravated assaults, and kidnapping. The number of innocent children protected by firearm owning parents far outweighs the number hurt by guns.

Fact: Most Americans (if they are firearm owners or not) believe that it is the way parents raise their kids that cause gun violence. Among non-firearm owners, 38% said it was parental neglect that causes youth violence, while only 28% thought it was due to the availability of guns.³¹ They may be right as most homicides of kids under age five are by their own parents. Mothers killed 31% and another 31% were killed by fathers.³²

²⁷ John Lott, “Accidental Deaths, Suicides, and Crime Safe Storage Gun Laws”, Yale Law School, 2000

²⁸ “Kids and Guns” bulletin, from Centers for Disease Control and Prevention statistics, 2000. Covers years 1990-1995.

²⁹ FBI Uniform Crime Statistics, 1997

³⁰ Gary Kleck, Criminologist, Florida State University, 1997

³¹ Gallup/Women.com poll, May 2000

³² FBI, Supplementary Homicide Reports, 1976-98

Myth: Trigger locks will keep children from accidentally shooting themselves

Fact: 31 of 32 models of gun locks tested by the government's Consumer Product Safety Commission could be opened with the key. According to their spokesperson, "We found you could open locks with paper clips, a pair of scissors or tweezers, or you could whack them on the table and they would open."³³

Fact: Schoolyard shooting deaths are not rising. In fact, they have been falling though most of the 1990s.³⁴

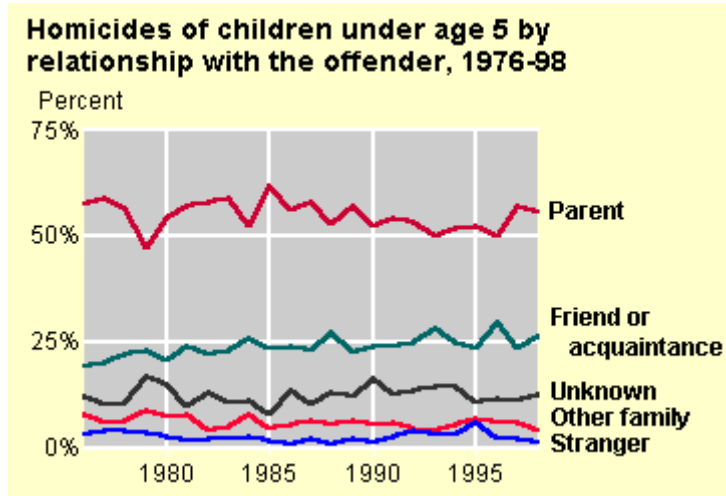
Fact: 85% percent of all the communities in America recorded no juvenile homicides in 1995, and 93.4% recorded one or no juvenile arrests for murder.³⁵

Fact: Only 10% of public schools reported one or more serious violent crimes during the 1996-97 school year.³⁶

Fact: In 1996, even though there were around 80 million people owning guns, there were only 44 accidental gun deaths for children under age 10, or about 0.0001%.³⁷

Fact: California has a trigger lock law and saw a 12% increase in fatal firearm accidents in 1994. Texas doesn't have one and experienced a 28% decrease in the same year.³⁸ "Trigger-locks" do, however, render guns inaccessible for self-defense.

Fact: Children as young as seven (7) years old have demonstrated that they can pick or break trigger locks, or operate a gun with a trigger lock in place.³⁹ Over half of non-criminal firearm deaths for children over age seven are suicides, so trigger locks are unlikely to reduce these deaths.



³³ Washington Post, Feb 7, 2001, Page A01

³⁴ National Center for Education Statistics' Violence and Discipline Problems in U.S. Public Schools, 1996-97

³⁵ Federal Bureau of Investigation "Crime in the United States: Uniform Crime Reports", 1996

³⁶ Department of Education "Principal./ School Disciplinarian Survey on School Violence", March, 2000

³⁷ Prof. John Lott, CBS News web site, March 20, 2000

³⁸ National Center for Health Statistics, 1995

³⁹ General Accounting Office, "Accidental Shootings: many deaths and injuries caused by firearms could be prevented," United States General Accounting Office, March 1991.

Fact: If criminals are deterred from attacking victims because of the fear that people might be able to defend themselves, gunlocks may in turn reduce the cost of criminals committing crime, and thus increase crime. This problem is exacerbated because many mechanical locks (such as barrel or trigger locks) also require that the gun be stored unloaded.

Myth: More children are hurt with guns than by any other method

Fact: 0.1% of all deaths for children in the U.S. between ages 0-14 are from firearms. The rate for “children” 0-24 years old is 0.4%.⁴⁰

	Ages 0-14	Ages 0-24
Suffocations	42.6%	36.9%
Other	35.1%	25.2%
Transportation (not automobiles)	6.0%	6.7%
Poisoning	6.0%	22.5%
Struck by (beatings, bludgeoning, accidentals)	5.3%	4.7%
Natural/environmental	3.7%	2.6%
Motor Vehicle	0.6%	0.7%
Drowning	0.3%	0.1%
Fire/hot substance	0.2%	0.1%
Firearms	0.1%	0.4%

Fact: The Center for Disease Control, a federal agency, agrees. According to them, in 1999, kids 0-14 years died from the following causes in the U.S.:

Cause	Count	%
Automobiles	2608	56%
Drowning	1010	22%
Pedestrian	675	15%
Bicycle	201	4%
Firearms	142	3%
Total	4636	100%

Fact: Children are 12 times more likely to die in an automobile accident than from gun-related homicides or legal interventions (being shot by a cop, for example) if they are age 0-14. For the group 0-24 years old (which bends the definition of ‘child’ quite a bit), the rate is still 8.6 times higher for cars.⁴¹

⁴⁰ National Safety Council, 1997

⁴¹ 1997 National Center for Health Statistics National Vital Statistics Report

Fact: In 1996, there were only 21 accidental firearm deaths for children under age 15. Contrast this with 40 kids under age five that drowned in *buckets* and 80 that drowned in tubs (i.e. parents could have prevented six (6) times as many drowning deaths as they could firearm deaths).⁴²

Fact: Boys who own legal firearms have much lower rates of delinquency and drug use and are even less delinquent than non-owners of guns.⁴³

Fact: The *non-gun* homicide rate for children in the U.S. is more than twice as high than other western countries. And eight times as many children die from *non-gun* violent acts than from gun crimes.⁴⁴ This indicates that the problem is violence, not guns.

Fact: Fatal gun accidents for children ages 0-14 declined by almost 46% from 1975 to 1995, and 60% for all ages – all while the number of guns per capita increased by almost 40%.

Fact: 82% of homicides to children age 13 and under were committed *without* a gun.⁴⁵

Myth: Children should be kept away from guns for their own safety

Fact: 0% of kids that get guns from their parents commit gun-related crimes while 21% those that get them illegally do.⁴⁶

Fact: Almost twice as many kids (24%) commit any type of street crime if they get guns illegally, as opposed to kids given guns by their parents and taught the proper way to use them (14%).⁴⁷

Fact: Almost three times as many kids (41%) take drugs if they also obtain guns illegally, as compared to kids given guns by their parents (13%).

Fact: In the 1950's, kids routinely played cops and robbers, had toy guns, were given BB rifles and small caliber hunting rifles before puberty. Yet the homicide rate in the 1950's was almost half of that in the 1980's.⁴⁸

Drop by www.FundTheCause.com and contribute to all of the pro-rights organizations.

⁴² Centers for Disease Control, 1999

⁴³ U.S. Department of Justice, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, NCJ-143454, "Urban Delinquency and Substance Abuse," August 1995.

⁴⁴ Office of Juvenile Justice and Delinquency Prevention, "Kids and Guns", 2000

⁴⁵ FBI Uniform Crime Statistics, 1997

⁴⁶ U.S. Justice Department, "Urban Delinquency and Substance Abuse", 2000

⁴⁷ Ibid.

⁴⁸ National Center for Health Statistics, Vital Statistics, Revised July, 1999

LICENSING AND REGISTRATION

Myth: Other countries register guns to fight crime

Fact: Most of these laws were in fact enacted in the post World War 1 period to prevent civil uprisings as had occurred in Russia. A report of “Committee on the Control of Firearms”, written by the British Home Office officials in 1918 was the basis for registration in the U.K., Australia, Canada, and New Zealand ⁴⁹

Myth: Gun registration works

Fact: Not in New Zealand. They repealed their gun registration law in the 1980s after police acknowledged its worthlessness.

Fact: Not in Australia. “It seems just to be an elaborate system of arithmetic with no tangible aim. Probably, and with the best of intentions, it may have been thought, that if it were known what firearms each individual in Victoria owned, some form of control may be exercised, and those who were guilty of criminal misuse could be readily identified. This is a fallacy, and has been proven not to be the case”⁵⁰

Fact: Not in Canada. More than 20,000 Canadian gun-owners have publicly refused to register their firearms. Many others are silently ignoring the law. The provincial governments of Alberta, Saskatchewan, and Manitoba have dumped both the administration and the enforcement of all federal gun-control laws right back into Ottawa's lap, throwing the Canadian government into civil war, one fought on paper for the time being. And all at a cost over three⁵¹ to ten⁵² times the original projected cost. Rank and file police officers in Calgary and Edmonton have withdrawn their backing of Ottawa's gun control registry and Alberta is ready to follow suit. “The gun registry as it sits right now is causing law abiding citizens to register their guns but it does nothing to take one illegal gun off the street or to increase any type of penalty for anybody that violates any part of the legislation,” according to Al Koenig, President, Calgary Police Association.⁵³

Fact: Not in Germany. The Federal Republic of Germany began comprehensive gun registration in 1972. The government estimated between 17,000,000 and 20,000,000 million guns were to be registered, and in fact only 3,200,000 million surfaced, leaving some 80% unaccounted for.⁵⁴

⁴⁹ Steven W. Kendrick, “Response to Philip Alpers' submission to the California State Assembly Select Committee on Gun Violence”, January 2000

⁵⁰ Chief Inspector Newgreen. Registrar of Firearms for the State of Victoria, Registration Firearms System CRB File 39-1-1385/84).

⁵¹ Dr. Paul Gallant and Dr. Joanne Eisen, “Civil Disobedience In Canada: It Just Happened To Be Guns”, Idaho Observer, August 2000

⁵² Garry Breitreuz, Member of Parliament, Saskatchewan

⁵³ Calgary Herald, September 1, 2000

⁵⁴ Ted Drane, “Why Gun Registration will Fail”

Fact: Not in Boston, Cleveland or California. These cities and states require registration of “assault weapons”. The compliance rate in Boston and Cleveland is about 1%.⁵⁵ In California, it is about 10%.

Fact: Criminals generally don’t register their weapons.

Myth: Gun registration will help police find suspects

Fact: There is registration in Hawaii, Chicago, and Washington D.C. Yet there has not been even a single case where the laws have been instrumental in identifying someone who has committed a crime.⁵⁶ Criminals very rarely leave their guns at the scene of the crime. Would-be criminals also virtually never get licenses or register their weapons.

Myth: Registration does not lead to confiscation

Fact: It did in Canada. The handgun registration law of 1934 is the source being used to confiscate (without compensation) over ½ of the handguns in 2001.⁵⁷

Fact: It did in Germany. The 1928 Law on Firearms and Ammunition (before the Nazis came to power) required all firearms to be registered. When Hitler came to power, the existing lists were used for confiscating weapons.

Fact: It did in Australia. In 1996, the Australian government confiscated over 660,000 legal weapons from their citizens.

Fact: It did in California. The 1989 Roberti-Roos Assault Weapons Control Act required registration. Due to changing definitions of “assault weapons”, many legal firearms are now being confiscated by the California government.

Fact: It did in New York City. In 1967, New York City passed an ordinance requiring a citizen to obtain a permit to own a rifle or shotgun, which would then be registered. In 1991, the city passed a ban on the private possession of some semi-automatic rifles and shotguns and ‘registered’ owners were told that those firearms had to be surrendered, rendered inoperable, or taken out of the city.

Fact: It did in Bermuda, Cuba, Greece, Ireland, Jamaica, and Soviet Georgia as well.

⁵⁵ David B. Kopel, *The Samurai, the Mountie, and the Cowboy: Should America Adopt the Gun Controls of Other Democracies* 231, n.210 (1992).

⁵⁶ Prof. John Lott, “Gun Licensing Leads to Increased Crime, Lost Lives”, *L.A. Times*, Aug 23, 2000

⁵⁷ Dr. Paul Gallant and Dr. Joanne Eisen, “Civil Disobedience In Canada: It Just Happened To Be Guns”, *Idaho Observer*, August 2000

Myth: Licensing will keep bad people from obtaining or using guns

Fact: In New York State alone, approximately 100,000 persons are convicted of unlicensed operation of a motor vehicle each year, and this is probably a small proportion of the actual number of people who drive without a valid license.⁵⁸ And given the poor performance of the Federal government in prosecuting felons that were identified by the Instant Background Check trying to buy firearms, there is little to support this claim.

Fact: As long as the unlicensed purchaser is never caught with the handgun, the unlawful sale will go unnoticed. The risk of detection is negligible. If the unlicensed handgun owner is arrested, he could claim that he did not need a license because he had owned this handgun before licensing went into effect.⁵⁹

Fact: Currently, federal prosecutors do not eagerly accept for prosecution felon-in-possession cases unless the felon is a hardened criminal who represents a threat to the public.⁶⁰

Fact: According to the Supreme Court, criminals do not have to obtain licenses or register their weapons, as that would be an act of self-incrimination.⁶¹

Fact: Prohibition (which started as a ‘moderation’ movement) didn’t keep people from drinking. Instead it turned millions of others honest and sober citizens into overnight criminals.



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⁵⁸ Journal of Criminal Law and Criminology, Northwestern University School of Law, 1998

⁵⁹ Ibid.

⁶⁰ Daniel C. Richman, Old Chief v. United States: Stipulating Away Prosecutorial Accountability?, 83 Va. L. Rev. 939, 982-85 (1997).

⁶¹ Haynes vs. U.S. 390 U.S. 85 1968

ASSAULT WEAPONS

“Assault weapon” is an invented term. In the firearm lexicon, there is no such thing as an “assault weapon”. The closest relative is the “assault rifle”, which is basically a machine gun that fires rifle cartridges. The authoritative source is the Department of Defense Small Arms Identification and Operations Guide: Assault rifle is defined as 'short, compact, select-fire weapons that fires a cartridge intermediate in power between submachine gun and rifle cartridges' – i.e. a machine gun.

Firearms often referred to as “assault weapons” have no greater firepower than a hunting rifles or handguns. They are styled to look like military weapons, but have no greater killing capacity than other civilian weapons. For a well-documented overview of how “assault weapons” are protected by the Second Amendment, as well as a discourse on why gun registration is barred by the constitution, see Brian Puckett’s article "Why I WILL NOT Obey California's Gun Registration Edict" at <http://www.guntruths.com/>

Myth: “Assault weapons” are a serious problem in the U.S.

Fact: In 1994, you were eleven (11) times more likely to be beaten to death than to be killed by an “assault weapon”.⁶² This was before the Federal assault weapons ban.

Fact: “Assault weapons” were used in less than 2% of crimes involving firearms and 0.25% of all violent crime⁶³ before the enactment of any national or state “assault weapons” ban.

Fact: Even weapons misclassified as “assault weapons” (common in the Federal and California assault weapons confiscations) are used in less than 1% of all homicides.⁶⁴

Fact: Police reports show that “assault weapons” are a non-problem:

For California:

- **Los Angeles:** In 1998, of 538 documented gun incidents, only one (0.2%) involved an "assault weapon".
- **San Francisco:** In 1998, only 2.2% of confiscated weapons were "assault weapons".
- **San Diego:** Between 1988 and 1990, only 0.3% of confiscated weapons were "assault weapons".

For the rest of the nation:

- Between 1980 and 1994, only 2% of confiscated guns were "assault weapons".
- Just over 2% of criminals that used guns used “assault weapons”.
- Only 1% of police officers murdered were killed using “assault weapons”.

Fact: Only 1.4% of weapons recovered are of the models covered under Clinton’s 1994 assault weapons ban were used in crimes.⁶⁵

⁶² FBI Uniform Crime Statistics, 1994

⁶³ Gary Kleck, “Targeting Guns”, 1997, compilation of 48 metropolitan police departments from 1980-1994

⁶⁴ FBI Uniform Crime Statistics, 1993

Fact: In Virginia, none of the inmates surveyed had carried an assault weapon during the commission of their last crime, despite 20% admitting that they had previously owned such weapons.⁶⁶

Fact: Most “assault weapons” have no more firepower or killing capacity than the average hunting rifle and “play a small role in overall violent crime”.⁶⁷

Myth: Assault weapons are used in 16% of homicides

Fact: This figure was derived in New York during promotion of an “assault weapons” bill. The classification scheme used encompassed most firearms sold in the U.S. since 1987 (center fire rifles and shotguns holding more than six cartridges, and handguns holding more than 10 rounds). By misclassifying “assault weapons”, they expanded the scope of a non-problem.

Myth: Assault weapons can be easily converted to machine guns

Fact: Firearms that can be “readily converted” are prohibited by law, thus excluding those that are commonly misclassified as “assault weapons”.

Fact: None of the firearms on the list of banned weapons can be readily converted.⁶⁸

Fact: Only 0.15% of over 4,000 weapons confiscated in Los Angeles in one year were converted, and only 0.3% had any evidence of an attempt to convert.⁶⁹

Thoughts: “Assault weapons” are large and unwieldy items. Even those misclassified handguns tend to be bigger than concealed carry will allow. Criminals (who incidentally disregard concealed carry laws) are unlikely to carry assault weapons. They are simply impractical for committing crime.

Thoughts: Recall the Rodney King riots in that anti-gun city of Los Angeles. Every major news network carried footage of Korean storeowners sitting on the roofs of their stores, armed with assault weapons. Those were the stores that did not get burned to the ground, and those were the people that were not dragged into the street and beaten by rioters.

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⁶⁵ From statewide recovery report from Connecticut (1988-1993) and Pennsylvania (1989-1994).

⁶⁶ Criminal Justice Research Center, Department of Criminal Justice Services, 1994

⁶⁷ Philip McGuire, Handgun Control, Inc., April 7, 1989, New York Times

⁶⁸ BATF test as reported in the New York Times, April 3, 1989

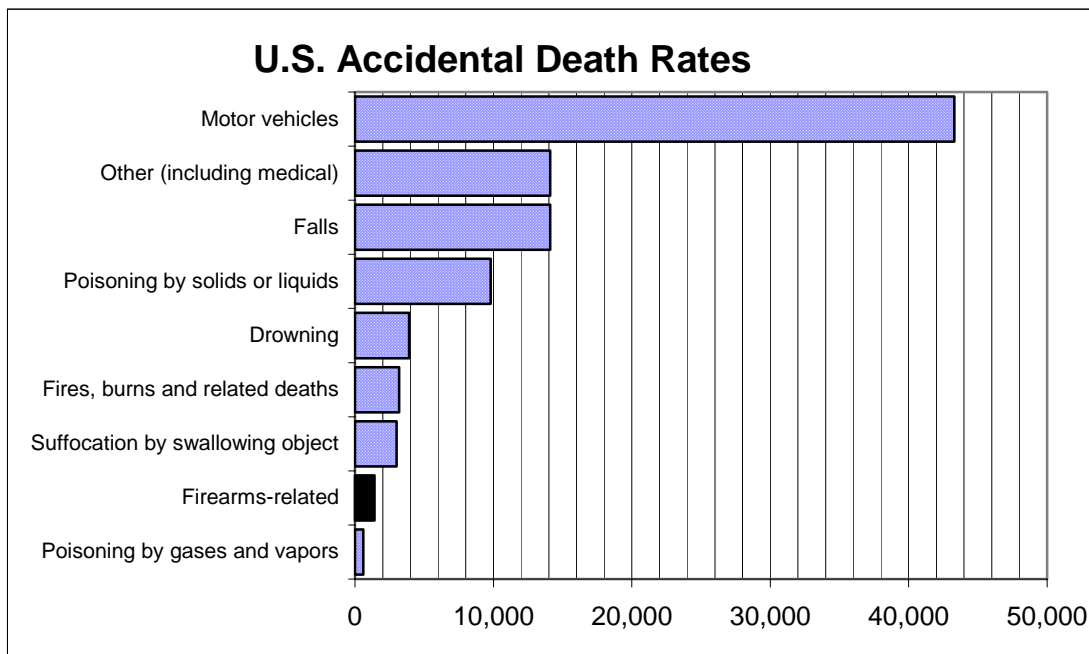
⁶⁹ Jimmy Trahin, Congressional testimony on assault weapons”, May 5, 1989

ACCIDENTAL DEATHS

Myth: Accidental gun fatalities are a serious problem

Fact: Firearm misuse causes only a small number of accidental deaths in the U.S.⁷⁰ For example, compared to accidental death from firearms, you are:

- Twice as likely to suffocate on a swallowed object
- Seven times more likely to be poisoned
- 10 times more likely to die falling
- And 31 times more likely to die in an automobile accident



Fact: In 1996, there were only 21 accidental gun deaths for children under age 15. About twice as many children under 10 die from drowning in bathtubs.⁷¹

Fact: In 1993, there were 1,334 drownings and 528 firearm-related accidental deaths from ages 0-19. Firearms outnumber pools by a factor of over 30:1. Thus, the risk of drowning in a pool is nearly 100 times higher than from a firearm-related accident for everyone, and nearly 500 times for ages 0-5.⁷²

⁷⁰ National Safety Council's 1997 Accident Fact Book

⁷¹ Centers for Disease Control

⁷² National Center for Health Statistics, and the National Spa and Pool Institute

Fact: Medical mistakes kill 400,000 people per year – about one fully loaded jumbo jet crash per day – or about 286 times the rate of all accidental firearm deaths.⁷³ This translates into 1 in 6 doctors causing an accidental death, and 1 in 56,666 gun owners doing the same.

Fact: Around 2,000 patients each year – six per day – are accidentally killed or injured in hospitals by registered nurses.⁷⁴

Myth: Innocent bystanders are often killed by guns

Fact: Less than 1% of all gun homicides involve innocent bystanders.⁷⁵

Myth: Citizens are too incompetent to use guns for protection

Fact: About 11% of police shootings kill an innocent person - about 2% of shootings by citizens kill an innocent person. The odds of a defensive gun user killing an innocent person are less than 1 in 26,000.⁷⁶ And that is with citizens using guns to prevent crimes almost 2,500,000 times every year.

Myth: Gun accidents are flooding emergency rooms

Fact: The rate of gun accidents is so low the U.S. Consumer Product Safety Commission doesn't even mention them in their annual safety reports.

Myth: "Junk" guns are dangerous and should be banned

Fact: In the history of the state of California, not one lawsuit against a gun maker has been filed based on a weapon being defective or poorly designed.⁷⁷

Myth: Guns should be made to conform to product liability laws

Fact: Guns are already covered under product liability laws. If you have a defective gun that does not operate properly, you can sue the gun maker. But this is not a problem.⁷⁸

⁷³ Medical death statistics from Dr. David Lawrence, CEO Kaiser Permanente. Gun deaths are for 1993, CDC report.

⁷⁴ Chicago Tribune report, Sept 10, 2000

⁷⁵ Sherman, Steele, Laufersweiler, Hoffer and Julian, "Stray bullets and 'mushrooms'", 1989, Journal of Quantitative Criminology

⁷⁶ Cramer C and Kopel D. "Shall Issue": The New Wave of Concealed Handgun Permit Laws. Golden CO: Independence Institute Issue Paper. October 17, 1994.

⁷⁷ California Trial Lawyers Association, 1998.

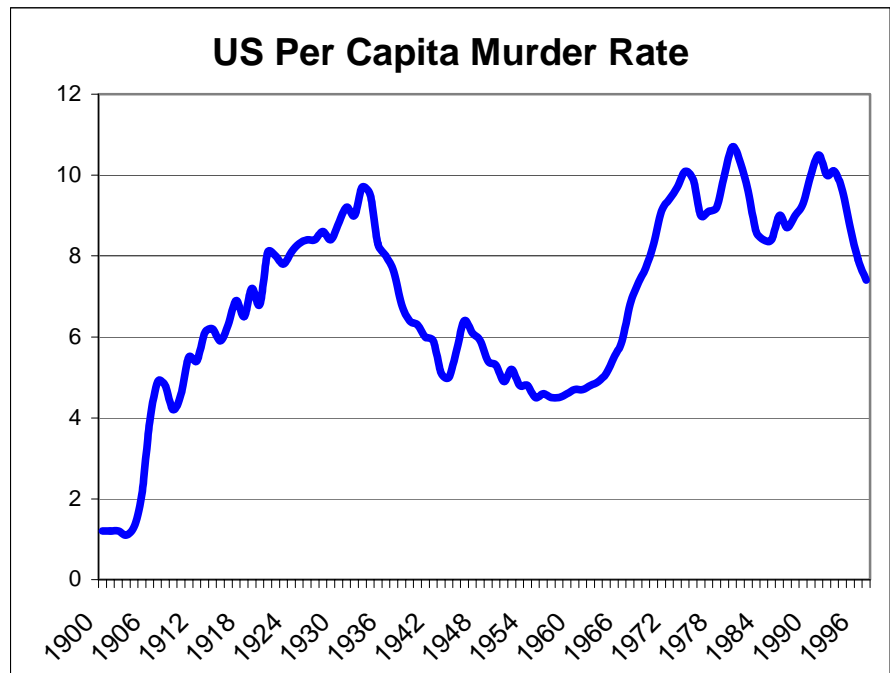
⁷⁸ Ibid.

GOVERNMENT, GUN LAWS, AND SOCIAL COSTS

Myth: Gun control reduces crime

Fact: Violent crime appears to be encouraged by gun control. Most gun control laws in the United States have been written since 1968, yet the murder rate has risen during that time.⁷⁹

Fact: In 1976, Washington, D.C. enacted one of the most restrictive gun control laws in the nation. Since then, the city's murder rate has risen 134 percent while the national murder rate has dropped 2 percent.⁸⁰



Fact: Among the 15 states with the highest homicide rates, 10 have restrictive or very restrictive gun laws.⁸¹

Fact: 20% of U.S. homicides occur in four cities with just six percent of the population -- New York, Chicago, Detroit, and Washington, D.C. -- and each has a virtual prohibition on private handguns.⁸²

Fact: New York has one of the most restrictive gun laws in the nation -- and 20% of the armed robberies.⁸³

Fact: There are more than 22,000⁸⁴ gun laws at the city, county, state, and federal level. If gun control worked, then we should be free of crime.

⁷⁹ National Center for Health Statistics, Vital Statistics, Revised July, 1999

⁸⁰ Dr. Gary Kleck, University of Florida using FBI Uniform Crime Statistics, 1997

⁸¹ Ibid.

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Bureau of Alcohol, Tobacco and Firearms estimate, 1992

Myth: Guns should be registered and licensed like cars

Fact: You do not need a license to buy a car. You can buy as many as you want and drive them all you like on your own property without a license.

Fact: Cars are registered because they are (a) a source of tax revenue, (b) the object of fraud in some transactions, and (c) a high theft object. Thus we ask the government to track these.

Fact: There is no constitutionally guaranteed right to keep and bear automobiles, and thus they are subject to greater regulation than guns.

Fact: There are more guns in the U.S. than cars (228,000,000 guns according to 1998 FBI stats, and 207,754,000 automobiles according to 1998 Federal Highway Administration registrations). Yet you are 31 times more likely to be accidentally killed by a car than a gun according to the National Safety Council⁸⁵ . . . despite cars having been registered and licensed for almost 100 years.

Myth: The Brady Bill caused gun homicides to decrease

Fact: Both gun and non-gun murder rates fell during the same period, 1992 to 1997. In 1992, 68% of U.S. murders were committed with guns; in 1997, it was still 68%.⁸⁶ Thus, the decreased gun homicide part of an overall declining crime rate, not an effect of the Brady Bill.

Fact: The Brady law has so far failed to appreciably save lives.⁸⁷

Fact: Violent crime started falling in 1991, three years before passage of the Brady law. The Brady law did not apply to 18 states, but after 1994 their violent crime fell as quickly as other states.⁸⁸

Fact: Most Americans agree that the bill is worthless. 51 % believe the act has been ineffective at reducing violent crime, and 56% believe it has had no impact on reducing the number of homicides in the U.S.⁸⁹

Myth: Gun laws are being enforced

Fact: During the Clinton administration, federal prosecutions of gun-related crimes dropped more than 44 percent.⁹⁰

⁸⁵ 207,754,000 automobiles according to Federal Highway Administration, October 1998. 240,000,000 guns according to 1996 FBI Uniform Crime Statistics

⁸⁶ FBI Uniform Crime Reports for 1992 and 1997

⁸⁷ Dr. Jens Ludwig , Dr. Philip J. Cook, Journal of the American Medical Association, August 2000

⁸⁸ Prof John Lott, "Gun Licensing Leads to Increased Crime, Lost Lives", L.A. Times, Aug 23, 2000, based on both the FBI Uniform Crime Statistics for 1990s and the U.S. Justice Department Crime Victimization Survey.

⁸⁹ Portrait of America survey, August 2000

⁹⁰ Transactional Records Access Clearinghouse (TRAC) at Syracuse University covering 1992 through 1998

Fact: Of the 3,353 prohibited individuals that obtained firearms, the Clinton administration only investigated 110 - or 3.3% of these individuals.⁹¹

Fact: Despite 536,000 prohibited buyers caught by the National Instant Background Check, only 6,700 people (1.25%) have been charged for these firearms violations. This includes 71% of the violations coming from convicted or indicted felons.⁹² None of these were prosecuted by the Federal government in 1996, 1997, or 1998.⁹³

Fact: Some of the reasons listed for not prosecuting known gun criminals include “minimal federal interest” and “DOJ/U.S. Attorney policy”.⁹⁴

Fact: 1/2 of the referrals of violent criminals were closed without investigation or prosecution.⁹⁵

Fact: The average sentence for a federal firearms violation dropped from 57 months to 46 months from 1996 to 1998.⁹⁶

Fact: In 1998, the government prosecuted just eight children for gun law violations.⁹⁷ In that same year, there were:

- 8 prosecutions for juvenile handgun possession.
- 6 prosecutions for handgun transfer to juveniles.
- 1 prosecution for Brady Law violations.

Fact: 18-20 year olds commit over 23% of all gun murders.⁹⁸ None of these criminals are allowed by law to purchase a handgun, and the Federal government does not enforce this law.

Fact: Project Exile in Richmond, Virginia prosecutes felons caught with guns using Federal laws that require mandatory imprisonment. The first year result was a 33% drop in homicides for the Richmond Metro area in a year where the national murder rate was climbing.⁹⁹ This shows that enforcement works. And according to Andrew McBride of the Richmond Justice Department Office, these cases are as easy to prosecute as "picking change up off the street."

⁹¹ General Accounting Office (GAO) 2000 audit of the National Instant Check System between 11/30/98 and 11/30/99.

⁹² Bureau of Justice Statistics, Federal Firearm Offenders and Background Checks for Firearm Transfers, June 4, 2000

⁹³ U.S. Justice Department statistics, 1999

⁹⁴ Bureau of Justice Statistics, Federal Firearm Offenders and Background Checks for Firearm Transfers, June 4, 2000

⁹⁵ General Accounting Office report on the Implementation of NICS, February, 2000

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ United States Treasury and Justice Department Report, 1999

⁹⁹ FBI Uniform Crime Statistics, 1999

Myth: Federal gun crime prosecutions increased 25%

Fact: 1992: 9,885 BATF referrals for federal law violations
1998: 4,391 (56% drop)
1999: 5,489 (fictitious 25% increase)¹⁰⁰

Fact: 1992: 12,084 BATF referrals for all firearm law violations
1998: 5,620 (a 53% drop)

Myth: The social cost of gun violence is enormous

Fact: Because guns are used an estimated 2.5 million times per year to prevent crimes, the cost savings in personal losses, police work, and court and prison expenses vastly outweighs the cost of criminal gun violence and gun accidents. The net savings, under a worst-case scenario, is about \$3.5 billion a year.¹⁰¹

Fact: Guns are used 65 times more often to prevent a crime than to commit one.¹⁰²

Fact: The medical cost of gun violence is only 0.16% of America's annual health care expenditures.¹⁰³

Fact: Drunken drivers killed 15,935 in 1998¹⁰⁴ while homicides with guns were 12,102 for the same year. This despite a decade of increased strictness and social pressure against drunk drivers.

Myth: The social cost of gun violence is \$20-100 billion

Fact: This "study" included the lifetime earnings of people that die from guns, not just the true social costs. This included lost incomes of criminals killed by law-abiding citizens, and costs associated with suicides, and the "emotional costs experienced by relatives and friends of gunshot victims, and the fear and general reduction in quality of life . . . including people who are not victimized". If the same methodology were used to calculate the social savings from private gun ownership, we would see a benefit to society of half a trillion dollars, or 10% of the 1999 US Gross Domestic Product.

Myth: Gun "buy back" programs get guns off the streets

Fact: Buybacks remove no more than 2% of the firearms within a community. And the firearms that are removed do not resemble guns used in crimes. *"There has never been any effect on crime results seen"*.¹⁰⁵

¹⁰⁰ BATF, 1999

¹⁰¹ Sterling Burnett, National Center for Policy Analysis, "Suing Gun Manufacturers: Hazardous to Our Health", 1999

¹⁰² Taking Dr. Gary Kleck's estimate of 2.5 million gun defenses each year, divided by the FBI estimates of crimes committed with a firearm.

¹⁰³ Max W and Rice DP, "Shooting in the dark: estimating the cost of firearm injuries." Health Affairs, 1993

¹⁰⁴ Compiled by Mothers Against Drunk Driving (MADD).

Fact: Up to 62% of people trading in a firearm still have another at home, and 27% said they would or might buy another within a year.¹⁰⁶

Fact: More than 50% of the weapons bought via a gun buy-back program were over 15 years old, whereas almost half of firearms seized from juveniles are less than three years old.¹⁰⁷

Fact: "They do very little good. The pool of guns arriving at buy backs are simply not the same guns that would otherwise have been used in crime. If you look at the people who are turning in firearms, they are consistently the least crime-prone: older people and women."¹⁰⁸

Fact: According to a variety of sources, the actual effect is that gun buy-back programs:

- Disarm future crime victims, creating new social costs
- Gives criminals an easy way to dispose of evidence
- Are turned in by those least likely to commit crimes (the elderly, women, etc.)
- Cheap guns are bought and sold back to the government for a profit
- Causes guns to be stolen and sold to the police, creating more crime in the process
- The stolen guns are not returned to their rightful owners

Myth: Closing down "kitchen table" gun dealers will reduce guns on the street

Fact: 43% of gun dealers had no inventory and sold no guns at all. Congressional testimony documented that the large number of low-volume gun dealers is a direct result of BATF policy. The BATF once prosecuted gun collectors who sold as few as three guns per year at gun shows, claiming that they were unlicensed, and therefore illegal, gun dealers. To avoid such harassment, thousands of American gun collectors became licensed gun dealers. Now the BATF claims not to have the resources to audit the paperwork monster it created.

Myth: Only the government should have guns

Fact: Only if you want criminals to have them. Loose inventory controls are notorious in government agencies, as shown by the Immigration and Naturalization Service (INS) that has "misplaced" 539 weapon, including a gas-grenade launcher and 39 automatic rifles or machine guns. Six guns were eventually linked to crimes (two guns had been used in armed robberies, one confiscated in a raid on a drug laboratory and two others during arrests. One was being held as evidence in a homicide investigation).¹⁰⁹

¹⁰⁵ Garen Wintemute, Violence Prevention Research Program, U.C., Davis, 1997

¹⁰⁶ Jon Vernick, John Hopkins Center for Gun Policy and Research, Sacramento and St. Louis studies

¹⁰⁷ District of Columbia buyback program, 1999

¹⁰⁸ David Kennedy, Senior Researcher, Harvard University Kennedy School Program in Criminal Justice, in appearance on Fox News, November 22, 2000

¹⁰⁹ Associated Press report, April 17, 2001

Myth: "Safe storage" laws protect people

Fact: 15 states that passed "safe storage" laws saw 300 more murders, 3,860 more rapes, 24,650 more robberies, and over 25,000 more aggravated assaults in the first five years. On average, the annual costs borne by victims averaged over \$2.6 billion as a result of lost productivity, out-of-pocket expenses, medical bills, and property losses.¹¹⁰ "The problem is, you see no decrease in either juvenile accidental gun deaths or suicides when such laws are enacted, but you do see an increase in crime rates."

Fact: Only five American children under the age of 10 died of accidents involving handguns in 1997.¹¹¹ Thus, the need for "safe storage" laws appears to be low.

Fact: In Merced California, an intruder stabbed three children to death with a pitchfork. The oldest child had been trained by her father in firearms use, but could not save her siblings from the attacker because the gun was locked away to comply with the state's "safe storage" law.¹¹²



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¹¹⁰ Prof. John Lott , "Safe Storage Gun Laws: Accidental Deaths, Suicides, and Crime" Yale School of Law, March 2000

¹¹¹ Ibid.

¹¹² Sierra Times and various wire services, September, 2000

CRIME AND GUNS

71% of gunshot victims have previous arrest records

64% had been convicted of a crime

Each had an average of 11 prior arrests¹¹³

Most gun violence occurs between criminals, and this should be the focus of public policy

Myth: Guns are not a good deterrent to crime

Fact: Guns prevent an estimated 2.5 million crimes a year, or 6,849 every day.¹¹⁴ Often the gun is never fired and no blood (including the criminal's) is shed.

Fact: Every day, 550 rapes, 1,100 murders, and 5,200 other violent crimes are prevented just by showing a gun. In less than 0.9% of the time is the gun ever actually fired.¹¹⁵

Fact: 60% of convicted felons admitted that they avoided committing crimes when they knew the victim was armed. 40% of convicted felons admitted that they avoided committing crimes when they thought the victim might be armed.¹¹⁶

Fact: 59% of the burglaries in Britain, which has tough gun control laws, are “hot burglaries”.¹¹⁷ By contrast, the U.S., with laxer restrictions, has a “hot burglary” rate of only 13%.¹¹⁸

Fact: Washington D.C., has banned gun ownership and has a per capita murder rate of 56.9. Across the river in Arlington, Virginia, gun ownership is not regulated, and the murder rate is a mere 1.6 per capita.¹¹⁹

Fact: 26% of all retail businesses report keeping a gun on the premises for crime control.¹²⁰

Fact: In 1982, Kennesaw, GA passed a law requiring heads of households to keep at least one firearm in the house. The residential burglary rate dropped 89% the following year.¹²¹

¹¹³ Richard Lumb, Paul Friday, City of Charlotte Gunshot Study, Department of Criminal Justice, 1994

¹¹⁴ “Targetting Guns”, Dr. Gary Kleck, Criminologist, Florida State University, 1997

¹¹⁵ Ibid.

¹¹⁶ James Wright and Peter Rossi, “Armed and Considered Dangerous: A Survey of Felons and Their Firearms”, New York: Aldine, 1986

¹¹⁷ A “hot burglary” is when the burgler enters a home while the residents are there.

¹¹⁸ Dr. Gary Kleck, Criminologist, Florida State University (1997) and Kopel (1992 and 1999)

¹¹⁹ FBI, “Crime in the United States”, 1998

¹²⁰ U.S. Small Business Administration, “Crime Against Small Business”, 1969, Senate Document No. 91-14

¹²¹ Dr. Gary Kleck, “Crime Control Through the Private Use of Armed Force”, Social Problems, February 1988

Fact: A survey of felons revealed the following:¹²²

- 74% of felons agreed that "one reason burglars avoid houses when people are at home is that they fear being shot during the crime."
- 57% of felons polled agreed, "criminals are more worried about meeting an armed victim than they are about running into the police."

Myth: Guns are often used to commit violent crimes

Fact: 90% of all violent crimes in the U.S. do not involve firearms of any type.¹²³

Fact: Even in crimes where the offender possessed a gun during the commission of the crime, 83% did not use or even threaten to use the gun.¹²⁴

Fact: Less than 1% of firearms will ever be used in the commission of a crime (much less a violent crime).¹²⁵

Fact: Two-thirds of the people who die each year from gunfire are criminals being shot by other criminals.¹²⁶

Myth: High capacity, semi-automatics are preferred by criminals

Fact: The use of semi-automatic handguns used in crimes is slightly less than the ratio of semi-automatic handguns owned by private citizens. An increase in style and capacity mimics the overall supply.¹²⁷

Myth: Gun shows are supermarkets for criminals

Fact: Only 1.7% - 2% of guns used in criminal offenses were purchased at gun shows.¹²⁸

Fact: Only 5% of metropolitan police departments believe that gun shows are a problem.¹²⁹

¹²² U.S. Bureau of Justice Statistics Federal Firearms Offenders study, 1997. Department of Justice, National Institute of Justice, "The Armed Criminal in America: A Survey of Incarcerated Felons," Research Report, July 1985

¹²³ Bureau of Alcohol, Tobacco and Firearms, 1998

¹²⁴ National Crime Victimization Survey, 1994, Bureau of Justice Statistics

¹²⁵ FBI Uniform Crime Statistics, 1994

¹²⁶ FBI Uniform Crime Statistics, 1994

¹²⁷ Gary Kleck, Targeting Guns, 1977

¹²⁸ National Institute of Justice, the research arm of the U.S. Department of Justice. According to an NIJ study released in December 1997 "Homicide in Eight U.S. Cities"

¹²⁹ Center to Prevent Handgun Violence survey of 37 police departments in large cities, reported in a CPHV report titled "On the Front Line: Making Gun Interdiction Work", February 1998

Fact: Only 3.5% of youthful offenders reported that they obtained their last handgun at a gun show.¹³⁰

Fact: 93% of guns used in crimes are obtained illegally (i.e., not at gun stores or gun shows).¹³¹

Fact: At most 14% of all firearms traced in investigations were purchased at a gun show.¹³² But this includes just traced weapons, which overstates the acquisition rate.

Fact: Gun dealers are federally licensed, and must follow the rules for sales regardless of whether they are dealing from a storefront, or a gun show.¹³³

Myth: 25-50% of the vendors at most gun shows are "unlicensed dealers"

Fact: There is no such thing as an "unlicensed dealer", except for people that buy and sell antique – known as curio – weapons.

Fact: This 25-50% figure can only be achieved if you include dealers *not selling guns* at these shows. These non-gun dealers include knife makers, ammunition dealers, accessories dealers, military artifact traders, clothing vendors, bumper sticker sellers, and hobbyists. In short, 50% of the vendors at shows are not selling firearms at all!

Myth: Criminals prefer "Saturday Night Specials"

Fact: "Saturday Night Specials" were used in less than 3% of crimes involving guns.¹³⁴

Fact: Fewer than 2% of all "Saturday Night Specials" made are used in crimes.

Myth: Prison isn't the answer to crime control

Fact: From 1960-1980, per capita imprisonment for violent crimes fell from 738 to 227. In the same period, violent crime rates nationwide tripled.

Fact: Why does crime rise when criminals are released from prison early? Because they are very likely to commit more crimes very quickly. 62.5% were re-arrested for new felonies or serious misdemeanors within three years. Those early released felons killed another 2,282 people.¹³⁵

¹³⁰ Timothy S. Bynum, Todd G. Beitzel, Tracy A. O'Connell & Sean P. Varano, "Patterns in Gun Acquisition and Use by Youthful Offenders in Michigan", 1999

¹³¹ BATF, 1999

¹³² BATF, June 2000, covers only July 1996 through December 1998.

¹³³ BATF, 2000

¹³⁴ FBI Uniform Crime Statistics, 1994

¹³⁵ Department of Justice Recidivism, 1999

Fact: 45% of state prisoners were, at the time they committed their offense, under conditional supervision in the community--either on probation or on parole.¹³⁶ Why isn't the government doing its job?

Fact: In 1991, 13,200 homicides were committed by felons on parole or probation, or about ½ of the 1999 annual gun death totals.

Fact: The average annual social damage prevented by incarcerating a newly admitted New Jersey violent criminal is \$1.6 million. This is a far higher cost than the annual \$25,000 expense of imprisoning a violent criminal.

Myth: Waiting periods prevent rash crimes and lower violent crime rates

Fact: The national five-day waiting period under the Brady Bill had no impact on murder or robbery, but slightly increased rape and aggravated assault rates by a few percent. Thus, for two crime categories, the major effect was to delay law-abiding citizens from getting a gun for protection. The risks were greatest for crimes against women.¹³⁷

Fact: Comparing homicide rates in 18 states that had waiting periods and background checks before the Brady bill, with rates in the 32 states that had no comparable laws, the difference in change of homicide rates was "insignificant".¹³⁸

Myth: Gun makers are selling plastic guns that slip through metal detectors

Fact: There is no such thing as a 'plastic gun'. This myth started in 1980 when Glock introduced a handgun with a polymer frame. Most of the Glock is metal (83% by weight) and very detectable in common metal and x-ray detectors. "(D)espite a relatively common impression to the contrary, there is no current non-metal firearm which is not reasonably detectable by present technology and methods in use at our airports today, nor to my knowledge is anyone on the threshold of developing such a firearm."¹³⁹

Incidentally, Glock is one of the favorite handguns of police departments *because it is lightweight, thanks to the polymer frame.*

¹³⁶ US Bureau of Justice Statistics, 1991

¹³⁷ Dr. John Lott Jr., University of Chicago School of Law, 1997

¹³⁸ Dr. Jens Ludwig, Dr. Philip J. Cook, Journal of the American Medical Association, August 2000

¹³⁹ Billie Vincent, FAA Director of Civil Aviation Security, House Subcommittee on Crime, May 15, 1986

Myth: Machine guns are favored by criminals

Fact: Fewer than 1% of all gun homicides in drug-ridden Miami of 1980 were with machine guns.¹⁴⁰

Fact: None of over 2,220 firearms recovered from crime scenes by the Minneapolis police in 1987-89 were machine guns.¹⁴¹

Fact: 0.7% of seized guns in Detroit in 1991-92 were machine guns.¹⁴²



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¹⁴⁰ Miami Herald, August 23, 1984, based on figures from Dr. Joseph Davis, Dade County medical examiner

¹⁴¹ 1994, Minnesota Medical Association Firearm Injury Prevention Task Force.

¹⁴² J. Gayle Mericle, 1989, Unpublished report of the Metropolitan Area Narcotics Squad, Will and Grundy Counties

GUNS AND CRIME PREVENTION

Myth: Private ownership of guns is not effective in preventing crime

Fact: Every year, people in the United States use a gun to defend themselves against criminals an estimated 2,500,000 times – more than 6,500 people a day, or once every 13 seconds.¹⁴³ Of these instances, 15.6% of the people using a firearm defensively stated that they "almost certainly" saved their lives by doing so.

This means that, each year, firearms are used 60 times more often to protect the lives of honest citizens than to take lives.

Fact: In 83.5% (2,087,500) of these successful gun defenses, the attacker either threatened or used force first, proving that guns are very well suited for self-defense.

Fact: Of the 2,500,000 times citizens use their guns to defend themselves every year, 92% merely brandish their gun or fire a warning shot to scare off their attackers.

Fact: Less than 8% of the time does a citizen wound his or her attacker.

Fact: For every accidental death, suicide or homicide with a firearm, 10 lives are saved through defensive use.

Fact: When using guns in self-defense¹⁴⁴:

- 83% of robbery victims were not injured
- 88% of assault victims were not hurt
- 76% of all self-defense use of guns never involve firing a single shot

Fact: After the implementation of Canada's 1977 gun controls prohibiting handgun possession for protection, the "breaking and entering" crime rate rose 25%, surpassing the American rate.¹⁴⁵

Myth: Only police should have guns

Fact: 11% of police shootings kill an innocent person - about 2% of shootings by citizens kill an innocent person.¹⁴⁶

Fact: Anyone who saw the helplessness of the L.A. Police Department during the 1992 King Riots knows that they need guns to defend themselves.

¹⁴³ Fall 1995, Journal of Criminal Law and Criminology

¹⁴⁴ National Crime Victimization Survey, 1979-1985

¹⁴⁵ Pat Mayhew, Residential Burglary: A Comparison of the United States, Canada and England and Wales (Nat'l Inst. of Just., Wash., D.C., 1987)

¹⁴⁶ Cramer C and Kopel D. "Shall issue: the new wave of concealed handgun permit laws." Golden CO: Independence Institute Issue Paper. October 17, 1994.

Myth: Guns are not effective in preventing crime against women

Fact: Of the 2,500,000 annual self-defense cases using guns, more than 7.7% (192,500) are by women defending themselves against sexual abuse.

Fact: When a woman was armed with a gun or knife, only 3% of the attempted rapes are successful, compared to 32% when unarmed.¹⁴⁷

Fact: The probability of serious injury from an attack is 2.5 times greater for women offering no resistance than for women resisting with a gun. Men also benefit from using a gun, but the benefits are smaller: offering no resistance is 1.4 times more likely to result in serious injury than resisting with a gun.¹⁴⁸

Fact: 27% of women keep a gun in the house.¹⁴⁹

Fact: 37.6 million women either own or have rapid access to guns.¹⁵⁰

Fact: In 1966, the city of Orlando responded to a wave of sexual assaults by offering firearms training classes to women. The number of rapes dropped by nearly 90%.

Myth: You are more likely to be injured or killed using a gun for self-defense

Fact: You are far more likely to survive a violent assault if you defend yourself with a gun. In episodes where there was an injury to a robbery victim, the injury/defense rates were:¹⁵¹

Resisting with a gun	6%
Did nothing at all	25%
Resisted with a knife	40%
Non-violent resistance	45%

Drop by www.FundTheCause.com and contribute to all of the pro-rights organizations.

¹⁴⁷ U.S. Department of Justice, Law Enforcement Assistance Administration, Rape Victimization in 26 American Cities, 1979

¹⁴⁸ Department of Justice's National Crime Victimization Survey

¹⁴⁹ U.S. Department of Justice, 1998

¹⁵⁰ Ibid.

¹⁵¹ British Home Office – not a “pro-gun” organization by any means

CONCEALED CARRY LAWS AND WEAPONS

Myth: Concealed carry laws increase crimes

Fact: 33 states and the majority of the American population live in “right-to-carry” states, and in each the crime rate fell after the law became active.

Fact: The crime rate involving a gun owner with a carry permit have consistently been about 0.02% of carry permit holders since Florida’s right-to-carry law started in 1989.¹⁵²

Fact: After passing their concealed carry law, Florida's homicide rate fell from 36% above the national average to 4% below the national average and remains below the national average to this day.¹⁵³

Fact: When citizens are allowed to carry concealed weapons¹⁵⁴:

- Murder rates drop 8%
- Rape rates fall 5%
- Aggravated assaults drop 7%

Fact: More to the point, crime is significantly higher in states without right-to-carry laws¹⁵⁵:

Type of Crime	How Much Higher in Restrictive States
Robbery	105%
Murder	86%
Assault	82%
Violent Crime	81%
Auto theft	60%
Rape	25%

Fact: Deaths and injuries from mass public shootings fall dramatically after right-to-carry concealed handgun laws are enacted. Between 1977 and 1995, the average death rate from mass shootings plummeted by up to 91% after such laws went into effect, and injuries dropped by over 80%

Fact: The serious crime rate in Texas fell 50% faster than the national average after a concealed carry law was passed in 1995.¹⁵⁶

¹⁵² Florida Department of Justice, 1998

¹⁵³ Cramer C and Kopel D. Shall issue: the new wave of concealed handgun permit laws. Golden CO: Independence Institute Issue Paper. October 17, 1994.

¹⁵⁴ John Lott, David Mustard: This study involved county level crime statistics from *all* 3,054 counties in the U.S., from 1977 through 1992. During this time ten states adopted right-to-carry laws. It is estimated that if all states had adopted right-to-carry laws, in 1992 the US would have avoided 1,400 murders, 4,200 rapes, 12,000 robberies, 60,000 aggravated assaults – and saves over \$5,000,000,000 in victim expenses.

¹⁵⁵ Ibid.

Fact: "Violent crime rates are highest overall in states with laws severely limiting or prohibiting the carrying of concealed firearms for self-defense".¹⁵⁷

- The total Violent Crime Rate is 26% higher in the restrictive states (798.3 per 100,000 pop.) than in the less restrictive states (631.6 per 100,000).
- The Homicide Rate is 49% higher in the restrictive states (10.1 per 100,000) than in the states with less restrictive CCW laws (6.8 per 100,000).
- The Robbery Rate is 58% higher in the restrictive states (289.7 per 100,000) than in the less restrictive states (183.1 per 100,000).
- The Aggravated Assault Rate is 15% higher in the restrictive states (455.9 per 100,000) than in the less restrictive states (398.3 per 100,000).

Myth: People carrying concealed weapons will commit crimes

Fact: The results for the 30 states that have passed "shall-issue" laws for concealed carry permits are similar. Here are some specific cases:

State	Permits issued	Revoked permits	% Revoked
Florida	551,000 ¹⁵⁸	109	0.02%
Virginia	50,000 ¹⁵⁹	0	0.00%
Arizona	63,000 ¹⁶⁰	50	0.08%

Fact: People with concealed carry licenses are:¹⁶¹

- 5.7 times less likely to be arrested for violent offenses than the general public
- 13.5 times less likely to be arrested for non-violent offenses than the general public

Fact: In Texas, citizens with concealed carry permits are 14 times less likely to commit a crime. They are also five times less likely to commit a violent crime.¹⁶²

Fact: Even gun control organizations agree it is a non-problem, as in Texas – "because there haven't been Wild West shootouts in the streets".¹⁶³

¹⁵⁶ Ibid

¹⁵⁷ FBI Uniform Crime Reports, 1992

¹⁵⁸ October 1987 through Jan 1999

¹⁵⁹ 1995 – no follow-up data available

¹⁶⁰ 1994 through 1998

¹⁶¹ William Strdevant, unpublished study reported in August 2000 edition of America's 1st Freedom

¹⁶² Texas Department of Public Safety and the U.S. Census Bureau, reported in San Antonio Express-News, September, 2000

Fact: Of 14,000 CCW licensees in Oregon, only 4 (0.03%) were convicted of the criminal (not necessarily violent) use or possession of a firearm.

Fact: In Florida, a state that has allowed concealed carry since 1989, you are twice as likely to be attacked by an alligator than a person with a concealed carry permit.¹⁶⁴

Myth: People do not need concealable weapons

Fact: In 79.7% of gun defenses, the defender used a concealable handgun. A quarter of the gun defenses occurred in places away from the defender's home.¹⁶⁵

Fact: Often small weapons (that are capable of being concealed) are the only ones usable by people of small stature, or those with physical disabilities.

Fact: The average citizen doesn't need a Sports Utility Vehicle, but owning one makes the owner safer. Owning a concealable gun makes the owner safer as well.

Myth: Police are against concealed carrying by citizens

Fact: "All the horror stories I thought would come to pass didn't happen . . . I think it's worked out well, and that says good things about the citizens who have permits. I'm a convert."¹⁶⁶

Fact: "I . . . [felt] that such legislation present[ed] a clear and present danger to law-abiding citizens by placing more handguns on our streets. Boy was I wrong. Our experience in Harris County, and indeed statewide, has proven my fears absolutely groundless".¹⁶⁷

Fact: Explain this to the [Law Enforcement Alliance of America](#), [Second Amendment Police Department](#), and [Law Enforcement for the Preservation of the Second Amendment](#).



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¹⁶³ Nina Butts, Texans Against Gun Violence, Dallas Morning News, August 10, 2000

¹⁶⁴ Florida Department of State, "Concealed Weapons/Firearms License Statistical Report", 1998 – Florida Game and Fresh Water Fish Commission, December 1998

¹⁶⁵ "Armed Resistance to Crime: The Prevalence and Nature of Self-Defense with a Gun," by Gary Kleck and Marc Gertz, in The Journal of Criminal Law & Criminology, Northwestern University School of Law, Volume 86, Number 1, Fall, 1995

¹⁶⁶ Glenn White, president, Dallas Police Association, Dallas Morning News, December 23, 1997

¹⁶⁷ John B. Holmes, Harris County Texas district attorney, Dallas Morning News, December 23, 1997

GUNS IN OTHER COUNTRIES

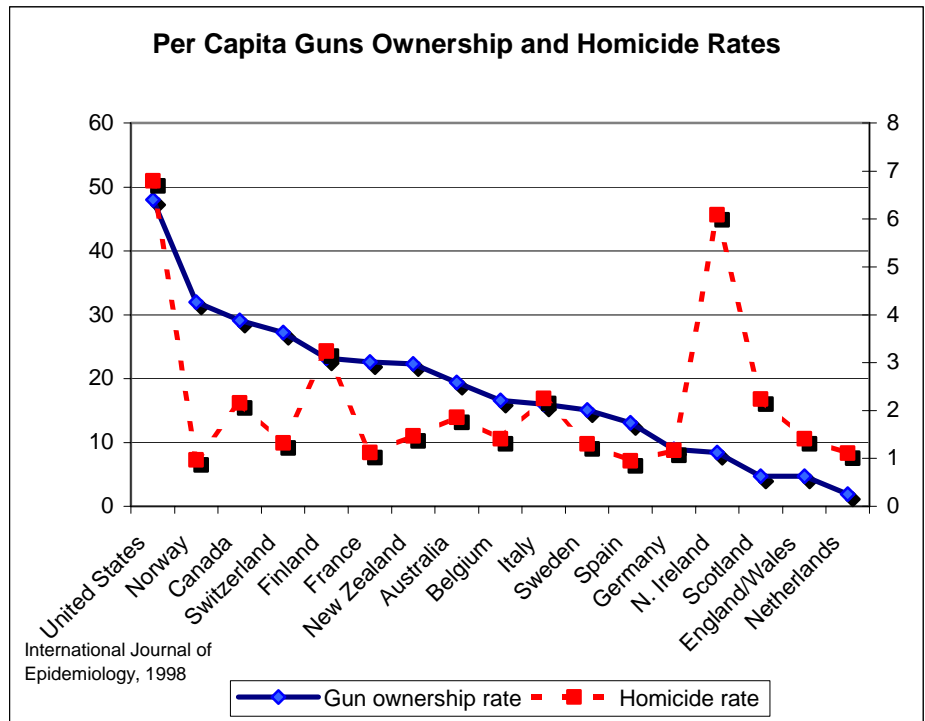
Myth: Countries with strict gun control have lower crime rates

Fact: In America, we can demonstrate that private ownership of guns reduces crime, but from country to country there is no correlation between gun availability and the violent crime rate. Consider this:

Gun Availability	Crime Rate	
	High	Low
High	United States	Switzerland
Low	Mexico	Japan

Or, to use detailed data, we can contrast the per capita homicide rate with the per capita gun ownership rate between different industrialized countries. Doing so shows zero correlation between the availability of guns and the overall homicide rate.

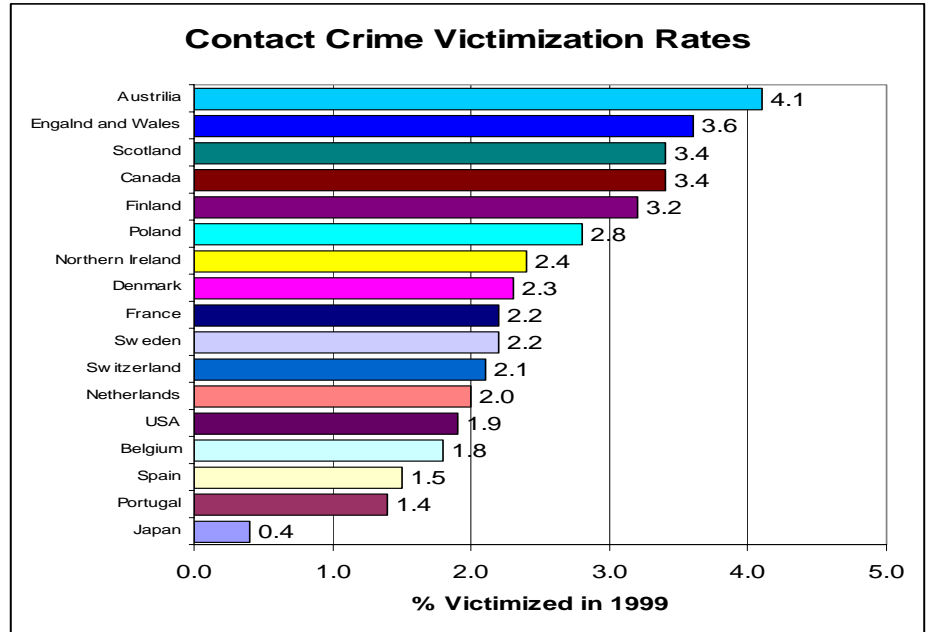
Fact: Switzerland has extremely lenient gun control (more so than the U.S.)¹⁶⁸, and has the third-lowest homicide rate of the top nine major European countries, and the same per capita rate as England and Wales.¹⁶⁹



¹⁶⁸ In Switzerland, handguns are obtainable once a person obtains a simple police permit that is valid for three months. During that time the permit holder may buy as many handguns as he wishes, and purchases are generally not registered. For 43% of the population, there are no rules requiring a person carrying a loaded handgun to obtain any permission at all.

¹⁶⁹ Carol Kalish, International Crime Rates, Bureau of Justice Statistics Special Report (Washington: Department of Justice, May 1988). 1984 data for Switzerland, and the 1983 data for England and Wales.

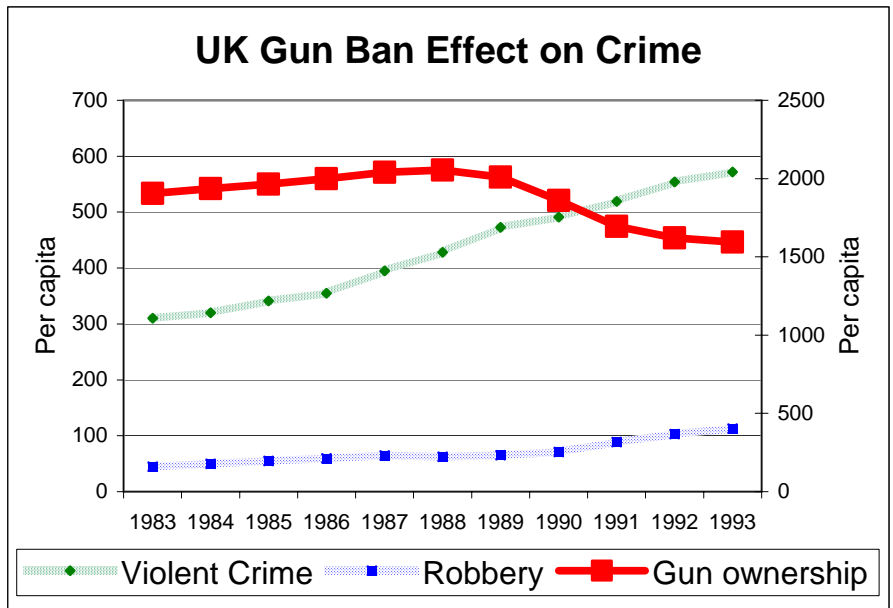
Fact: In fact, many of the countries with the strictest gun control have the highest rate of violent crime. Australia and England, which have virtually banned gun ownership, have the highest rate of robbery, sexual assault, and assault with force of the top 17 industrialized countries.



Myth: Britain has strict gun control and a low crime rate

Fact: Since gun banning has escalated in the UK, the rate of crime – especially violent crime – has risen.

Fact: Comparing crime rates between America and Britain is flawed. In America, a gun crime is recorded as a gun crime. In Britain, a crime is only recorded when there is a final disposition (a conviction). All unsolved gun crimes in Britain are not reported as gun crimes, grossly undercounting the amount of gun crime there.¹⁷⁰ To make matters worse, British law enforcement has been exposed for falsifying



criminal reports to create falsely lower crime figures, in part to preserve tourism.¹⁷¹

¹⁷⁰ Gallant, Hills, Kopel, "Fear in Britain", Independence Institute, July 18, 2000

¹⁷¹ Daily Telegraph, 1996

Fact: A continuing parliamentary inquiry into the growing number of black market weapons has concluded that there are more than three million illegally held firearms in circulation - double the number believed to have been held 10 years ago - and that criminals are more willing than ever to use them. One in three criminals under the age of 25 owns or has access to a firearm.¹⁷²

Fact: Between 1997 and 1999, there were 429 murders in the capital, the highest two-year figure for more than 10 years – nearly two-thirds of those involved firearms – in a country that has banned private firearm ownership.¹⁷³

Fact: Over the last century, the British crime rate was largely unchanged. In the late nineteenth century, the per capita homicide rate in Britain was between 1.0 and 1.5 per 100,000.¹⁷⁴ In the late twentieth century, after a near ban on gun ownership, the homicide rate is around 1.1.¹⁷⁵ This shows that the homicide rate does not vary with either the level of gun control or gun availability.

Fact: The U.K. has strict gun control and a rising homicide rate of 1.4 per capita. Switzerland that has the highest per capita firearm ownership rate on the planet (all males age 20 to 42 are required to keep rifles or pistols at home) has a homicide rate of 1.2 per capita. And to date, there has never been a schoolyard massacre in Switzerland.¹⁷⁶

Fact: "the scale of gun crime in the capital [London] has forced senior officers to set up a specialist unit to deal with . . . shootings."¹⁷⁷

Myth: Japan has strict gun control and a less violent society

Fact: In Japan, the murder rate is about 1 per 100,000. In the U.S., there are about 3.2 murders per 100,000 people each year by weapons other than firearms.¹⁷⁸ *This means that even if firearms in the U.S. could be eliminated, we would still have three times the murder rate of the Japanese.* Japan's murder rate may be low, but its suicide rate is over 20 per 100,000 people. Japanese are being murdered and committing suicide at a rate of about 21 per 100,000. In the U.S., our combined murder and suicide rate is about 21 also.

¹⁷² Reported in The Guardian, September 3, 2000

¹⁷³ Ibid.

¹⁷⁴ Clive Emsley, *Crime and Society in England 1750-1900*, at 36 (1987).

¹⁷⁵ Interpol statistics

¹⁷⁶ Stephen P. Halbrook, "Where Kids and Guns Do Mix", *Wall Street Journal*, June 1999

¹⁷⁷ Associated News Media, April 30, 2001

¹⁷⁸ United Nations, 1998

Myth: Gun control in Australia is curbing crime

Fact: Crime has been rising since a sweeping ban on private gun ownership. In the first two years after gun-owners were forced to surrender 640,381 personal firearms, government statistics show a dramatic increase in criminal activity.¹⁷⁹¹⁸⁰

- Homicides are up 3.2%
- Assaults are up 17%
- Armed-robberies are up 73%
- Unlawful entries are up 8%.
- Kidnappings are up 38%
- Manslaughter is up 32%
- In the state of Victoria, homicides-with-firearms are up 300%
- There has been a dramatic increase in break-ins and assaults of the elderly

Since the inception of firearm confiscation to March 27, 2000, the numbers are:

- Gun murders up 19%
- Armed robbery up 69%
- Home invasions up 21%

The sad part is that in the 15 years before national gun confiscation:

- Firearm-related homicides had dropped nearly 66%
- Firearm-related death rate fell 50%



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¹⁷⁹ The Australia Bureau of Statistics, 1998

¹⁸⁰ Cross-referenced with the Australian Institute of Criminology, a government funded think-tank, 1998

POLICE AND GUNS

Myth: Police favor gun control

Fact: 92.7% of law enforcement officials believe that citizens should be able to purchase firearms for self-defense and sporting purposes.¹⁸¹

Fact: 65.8% believe there should be no gun rationing, such as 'one gun per month' schemes.

Fact: 97.9% of officers believe, that through illegal means, criminals are able to obtain any type of firearm.

Fact: "Gun control has not worked in D.C. The only people who have guns are criminals. We have the strictest gun laws in the nation and one of the highest murder rates. It's quicker to pull your Smith & Wesson than to dial 911 if you're being robbed."¹⁸²

Myth: The police are our protection, and people don't need guns

Fact: Tell that to 18,209 murder victims, 497,950 robbery victims, and 96,122 rape victims.¹⁸³

Fact: The courts have consistently ruled that the police do not have an obligation to protect individuals. In *Warren v. District of Columbia Metropolitan Police Department*, 444 A.2d 1 (D.C. App. 1981), the court stated: '[C]ourts have without exception concluded that when a municipality or other governmental entity undertakes to furnish police services, it assumes a duty only to the public at large and not to individual members of the community.'

Fact: There are not enough police to protect everyone. Currently, there are about 150,000 police officers on duty at any one time.¹⁸⁴

- This is on-duty police. This includes desk clerks, command sergeants, etc. – far fewer than 150,000 cops are cruising your neighborhood.
- There are approximately 271,933,702 people living in the United States.¹⁸⁵
- Thus *there is only one on-duty cop for every 1,813 citizens!*

Fact: Former Florida Attorney General Jim Smith told Florida legislators that police responded to only 200,000 of 700,000 calls for help to Dade County authorities.

¹⁸¹ National Association of Chiefs of Police, 1999 Police Survey

¹⁸² Lt. Lowell Duckett, Special Assistant to DC Police Chief; President, Black Police Caucus, The Washington Post, March 22, 1996

¹⁸³ 1997 FBI Uniform Crime Statistics

¹⁸⁴ US Justice Department, 1998

¹⁸⁵ US Census Bureau, 1999 estimate

Fact: The United States Department of Justice found that, in 1989, there were 168,881 crimes of violence for which police had not responded within 1 hour.

Fact: 95% of the time police arrive too late to prevent a crime or arrest the suspect.¹⁸⁶

Fact: In over 90% of U.S. cities, technology does not give police dispatchers the location of a cellular telephone caller¹⁸⁷, making police protection less likely for travelers.

Fact: 75% of protective/restraining orders are violated and police often won't enforce them unless they witness the violation.¹⁸⁸

Myth: The supply of guns is a danger to law enforcement

Fact: The courts kill cops by letting felons out of prison early. Of police killed in the line of duty:

- 70% are killed by criminals with prior arrest records
- 53% of these criminals have prior convictions
- 22% are on probation when the officer is killed

Myth: "Cop Killer" bullets need to be banned

Fact: KTW rounds, wrongly labeled as "cop killers" bullets, were designed by police officers¹⁸⁹ for police to help penetrate hard targets (car windshields, etc.). KTWs have never been sold to the general public.¹⁹⁰

Myth: Teflon bullets are designed to penetrate police bullet-proof vests

Fact: KTW rounds are Teflon coated to prevent heat build-up in a police officer's gun barrel, not to pierce body armor.¹⁹¹



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¹⁸⁶ Witkin, Gordon, Guttman, Monika and Lenzy, Tracy. "This is 911 ... please hold." U.S. News & World Report, June 17, 1998

¹⁸⁷ Susan Bahr, "911 - hello? Hellooooo?", America's Network 103, April 1, 1999

¹⁸⁸ Ellen Sorokin, "Anti-stalking laws usually are unable to protect targets." Washington Times, April 16, 2000

¹⁸⁹ Developed by Daniel Turcos (a police sergeant) and Donald Ward (Dr. Kopsch's special investigator)

¹⁹⁰ Mike Casey, "Cop Killer Bullets", July 2000

¹⁹¹ Ibid

ASSORTED MYTHS

Myth: High capacity guns lead to more deadly shootings

Fact: Much of this myth comes from the fact that the general availability of high-capacity handguns briefly preceded the rise in the crack cocaine trade, which brought a new kind of violence in local drugs wars.¹⁹²

Fact: The number of shots fired by criminals has not changed significantly even with the increased capacity of handguns and other firearms. Indeed, the number of shots from revolvers (all within 6-8 round capacity) and semi-automatics were about the same – 2.04 vs. 2.53.¹⁹³ In a crime or gun battle, there is seldom time or need to shoot more.

Fact: Fatal criminal shooting declined from 4.3% to 3.3% from 1974 through 1995, when the increase in semi-automatics and large capacity handguns were rising at their fastest rate.¹⁹⁴ Fatal shootings of police officers declined sharply from 1988 through 1993.¹⁹⁵

Fact: Drug dealers tend to be “more deliberate in their efforts to kill their victims by shooting them multiple times”.¹⁹⁶



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¹⁹² Gary Kleck, Targeting Guns, 1997

¹⁹³ Michael McGonigal, John Cole, William Schwab, Donald Kauder, Michael Rotondo, Peter Angood, “Urban firearm deaths: A five-year perspective”, Journal of Trauma, 1993

¹⁹⁴ FBI Uniform Crime Statistics, 1966-1995

¹⁹⁵ Marianne Zawitz, “Firearm injury from crime”, 1996, Bureau of Justice Statistics

¹⁹⁶ Webster, Champion, Gainer and Sykes, “Epidemiological changes in gunshot wounds in Washington D.C”, Archives of Surgery, 1992

THE SECOND AMENDMENT

Justification clause: "A well regulated Militia being necessary to the security of a free State, "

Rights clause: "the right of the people to keep and bear Arms shall not be infringed."

*The justification clause does not modify, restrict, or deny the rights clause.*¹⁹⁷

Myth: The Second Amendment is a collective right, not an individual right

Fact: The Second Amendment was listed in a Supreme Court ruling as an individual right.¹⁹⁸

Fact: The Supreme Court specifically reaffirmed that the right to keep and bear arms did not belong to the government.¹⁹⁹

Fact: In 22 of the 27 instances where the Supreme Court mentions the Second Amendment, they quote the rights clause and not the justification clause.

Fact: There are 23 state constitutions with RKBA clauses adopted between the Revolution and 1845, and 20 of them are explicitly individual in nature, only three have "for the common defense...." or other "collective rights" clauses.²⁰⁰

Fact: James Madison, considered to be the author of the Bill of Rights, wrote that the Bill of Rights was "calculated to secure the personal rights of the people". He never excluded the Second Amendment from this statement.

Fact: Patrick Henry commented on the Swiss militia model (still in use today) noting that they maintain their independence without "a mighty and splendid President" or a standing army.²⁰¹

Fact: "The congress of the United States possesses no power to regulate, or interfere with the domestic concerns, or police of any state: it belongs not to them to establish any rules respecting the rights of property; nor will the constitution permit any prohibition of arms to the people; or of peaceable assemblies by them, for any purposes whatsoever, and in any number, whenever they may see occasion."²⁰²

¹⁹⁷ Eugene Volokh, Prof. Law, UCLA

¹⁹⁸ Dred Scott, Casey v. Planned Parenthood, U.S. v. Cruikshank and others

¹⁹⁹ United States v. Miller

²⁰⁰ Clayton Cramer, historian, author of For the Defense of Themselves and the State_ (Praeger Press, 1994), cited as an authority in USA v. Emerson (N.D. Texas 1999)

²⁰¹ Stephen P. Halbrook, "Where Kids and Guns Do Mix", Wall Street Journal, June 2000

²⁰² Tucker's Blackstone, Volume 1 Appendix Note D., 1803 – Tucker's comments provide a number of insights into the consensus for interpretation of the Constitution that prevailed shortly after its ratification, after the debates had settled down and the Constitution was put into practice.

Myth: The "militia" clause is to arm the National Guard

Fact: The first half of the Second Amendment is called the "justification clause". Justification clauses appear in many state constitutions, and cover liberties including right to trial, freedom of the press, free speech, and more. *Denying gun rights based on the justification clause means we would have to deny free speech rights on the same basis.*²⁰³

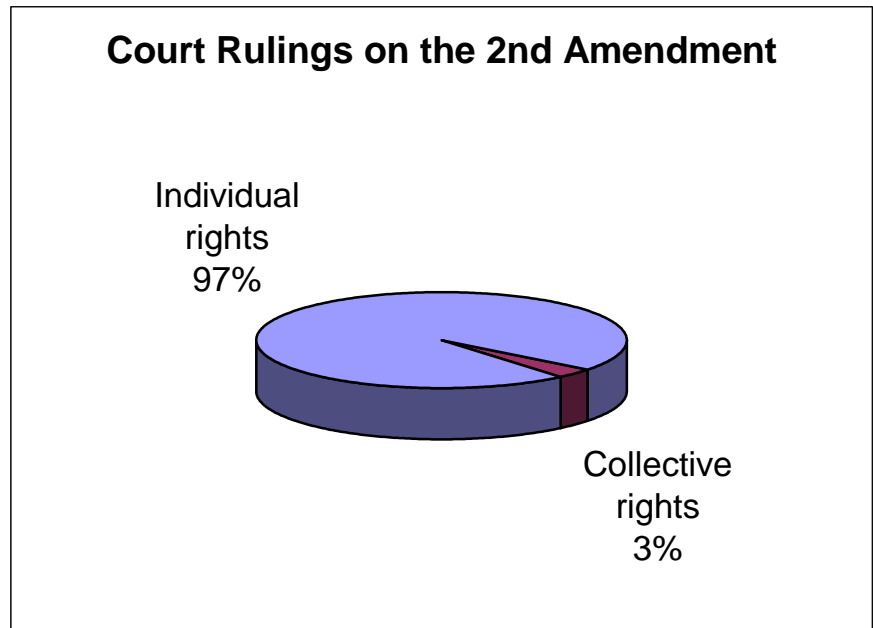
See <http://www.law.ucla.edu/faculty/volokh/beararms/testimon.htm>.

Fact: The origin of the phrase "a well regulated militia" comes from a 1698 treatise "A Discourse of Government with Relation to Militias" by Andrew Fletcher, in which the term "well regulated" was equated with "well-behaved" or "disciplined".²⁰⁴

Myth: The Supreme Court has ruled that the Second Amendment is not an individual right

Fact: The Supreme Court has never been asked to decide this issue. All court rulings to date either mention the Second amendment in passing, or as a reference to other rights.

Fact: Of 300 decisions of the federal and state courts that have taken a position on the meaning of the Second Amendment or the state analogs to it, only 10 have claimed that the right to keep and bear arms is not an individual right. Many of the other decisions struck down gun control laws because they conflicted with the Second Amendment, such as *State v. Nunn* (Ga. 1846).²⁰⁵



Fact: In the *Dred Scott* case of 1856, the Supreme Court listed the protected rights of citizens and explicitly listed the right to keep and bear arms, and gave this right equal weight to the other freedoms expressed in the constitution.

²⁰³ Eugene Volokf, Prof. Law, UCLA

²⁰⁴ This document was widely published during the colonial and revolutionary periods, and was the basis for state and federal 'bills of rights'.

²⁰⁵ "In Defense of Themselves and the States", Clayton Cramer, Praeger Press, 1994

Myth: U.S. v. Miller said that the Second Amendment is not an individual right

Fact: The Miller case specifically held that specific types of guns might be protected by the Second Amendment. It depended on whether a gun had military (militia) use, and they wanted some evidence presented, confirming that citizens have a right to military style weapons. Since no evidence was taken at the trial level in lower courts, they remanded the case for a new trial. Specifically the court said:

"The signification attributed to the term Militia appears from the debates in the Convention, the history and legislation of Colonies and States, and the writings of approved commentators. *These show plainly enough that the Militia comprised all males physically capable of acting in concert for the common defense.* "A body of citizens enrolled for military discipline." And further, that ordinarily when called for service *these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time.*"

Fact: Even the US government agreed. Here are some sentences from the brief filed by the government in the appeal to the Supreme Court:

"The Second Amendment does not grant to the people the right to keep and bear arms, but merely recognizes the prior existence of that right and prohibits its infringement by Congress."

"The "arms" referred to in the Second Amendment are, moreover, those which ordinarily are used for military or public defense purposes . . ."

"The Second Amendment does not confer upon the people the right to keep and bear arms; it is one of the provisions of the Constitution which, recognizing the prior existence of a certain right, declares that it shall not be infringed by Congress. Thus the right to keep and bear arms is not a right granted by the Constitution and therefore is not dependant upon that instrument for its source."

Summary of various court decisions concerning gun rights

DECISIONS THAT EXPLICITLY RECOGNIZED THAT THE SECOND AMENDMENT GUARANTEES AN INDIVIDUAL RIGHT TO PURCHASE, POSSESS OR CARRY FIREARMS, AND IT LIMITS THE AUTHORITY OF BOTH FEDERAL AND STATE GOVERNMENTS:

- U.S. vs. Emerson, 1999, Nunn v. State, 1 Ga. 243, 250, 251 (1846) (struck down a ban on sale of small, easily concealed handguns as violating Second Amendment);
- State v. Chandler, 5 La.An. 489, 490, 491 (1850) (upheld a ban on concealed carry, but acknowledged that open carry was protected by Second Amendment);
- Smith v. State, 11 La.An. 633, 634 (1856) (upheld a ban on concealed carry, but recognized as protected by Second Amendment "arms there spoken of are such as are borne by a people in war, or at least carried openly");
- State v. Jumel, 13 La.An. 399, 400 (1858) (upheld a ban on concealed carry, but acknowledged a Second Amendment right to carry openly);

- *Cockrum v. State*, 24 Tex. 394, 401, 402 (1859) (upheld an enhanced penalty for manslaughter with a Bowie knife, but acknowledged that the Second Amendment guaranteed an individual right to possess arms for collective overthrow of the government);
- *In Re Brickey*, 8 Ida. 597, 70 Pac. 609, 101 Am.St.Rep. 215, 216 (1902) (struck down a ban on open carry of a revolver in Lewiston, Idaho as violating both Second Amendment and Idaho Const. guarantee);
- *State v. Hart*, 66 Ida. 217, 157 P.2d 72 (1945) (upheld a ban on concealed carry as long as open carry was allowed based on both Second Amendment and Idaho Const. guarantee);
- *State v. Nickerson*, 126 Mont. 157, 166 (1952) (striking down a conviction for assault with a deadly weapon, acknowledging a right to carry based on Second Amendment and Montana Const. guarantee).
- *U.S. v. Hutzel*, 8 Iowa, (2000) (cite in dictum that "an individual's right to keep and bear arms is constitutionally protected, see *United States v. Miller*, 307 U.S. 174, 178-79 (1939).").

DECISIONS THAT RECOGNIZED THE SECOND AMENDMENT GUARANTEES AN INDIVIDUAL RIGHT TO POSSESS OR CARRY FIREARMS, BUT ONLY LIMITING THE FEDERAL GOVERNMENT'S AUTHORITY:

- *U.S. v. Cruikshank*, 92 U.S. 542, 552 (1876) (limiting use of the Enforcement Act of 1870 so that Klansmen could not be punished for mass murder and disarming of freedmen);
- *State v. Workman*, 35 W.Va. 367, 373 (1891) (upholding a ban on carry of various concealable arms);
- *State v. Kerner*, 181 N.C. 574, 107 S.E. 222 (1921) (overturning a ban on open carry of pistols based on North Carolina Const., but acknowledging Second Amendment protected individual right from federal laws).

DECISIONS IN WHICH THE SECOND AMENDMENT WAS ARGUED OR RAISED AS A LIMITATION ON STATE LAWS, AND IN WHICH THE COURT RULED THAT IT ONLY LIMITED THE FEDERAL GOVERNMENT, TACITLY ACKNOWLEDGING THAT THE RIGHT WAS INDIVIDUAL IN NATURE:

- *Andrews v. State*, 3 Heisk. (50 Tenn.) 165, 172, 173 (1871);
- *Fife v. State*, 31 Ark. 455, 25 Am.Rep. 556, 557, 558 (1876); *State v. Hill*, 53 Ga. 472, 473, 474 (1874);
- *Dunne v. People*, 94 Ill. 120, 140, 141 (1879); *Presser v. Illinois*, 116 U.S. 252, 265, 266 (1886) (upholding a ban on armed bodies marching through the streets);
- *People v. Persce*, 204 N.Y. 397, 403 (1912); *In re Rameriz*, 193 Cal. 633, 636, 226 P. 914 (1924) (upholding a ban on resident aliens possessing handguns).

DECISIONS IN WHICH THE SECOND AMENDMENT WAS IMPLIED TO GUARANTEE AN INDIVIDUAL RIGHT, THOUGH UNCLEAR AS TO WHETHER IT LIMITED ONLY THE FEDERAL GOVERNMENT OR STATES AS WELL, BECAUSE THE TYPE OF ARM IN QUESTION WASN'T PROTECTED:

- *English v. State*, 35 Tex. 473, 476, 477 (1872) and

- State v. Duke, 42 Tex. 455, 458, 459 (1875) (upholding a ban on carrying of handguns, Bowie knives, sword-canes, spears, and brass knuckles);
- People v. Liss, 406 Ill. 419, 94 N.E.2d 320, 322, 323 (1950) (overturning a conviction for carrying a concealed handgun and acknowledging that the right in the Second Amendment was individual);
- Guida v. Dier, 84 Misc.2d 110, 375 N.Y.S.2d 827, 828 (1975) (denying that "concealable hand weapons "were protected by the Second Amendment, but acknowledging that an individual right protects other firearms).

DECISIONS IN WHICH THE SECOND AMENDMENT HAS BEEN CLASSED WITH OTHER INDIVIDUAL RIGHTS, WITH NO INDICATION THAT IT WAS NOT AN INDIVIDUAL RIGHT:

- Robertson v. Baldwin, 165 U.S. 275, 281, 282, 17 S.Ct. 826, 829 (1897); U.S. v. Verdugo-Urquidez, 110 S.Ct. 1056, 1060, 1061 (1990).

DECISIONS THAT COULD HAVE BEEN VERY MUCH SHORTER IF THE COURT HAD SIMPLY DENIED THAT THE SECOND AMENDMENT PROTECTED AN INDIVIDUAL RIGHT:

- U.S. v. Miller, 307 U.S. 174 (1939) (the Supreme Court upholding the National Firearms Act of 1934, after district judge released defendants on the grounds that it violated Second Amendment).



[Click Here See What Project Five Million Is All About](#)

GUN OWNERS AND PUBLIC OPIONION

Myth: Gun owners are a tiny minority

Fact: The Federal government estimated that there were over 65 million gun owners in the U.S., and more than 50% were handgun owners.²⁰⁶ This number is generally considered low due to the reluctance of many to admit to a government agency that they own a gun. Other estimates indicate that 41% of U.S. households are gun-owning households.

Fact: 34% of Americans claim they owned a gun. 42% claimed they had one in the house (even if they were not the owner).²⁰⁷

Myth: Most Americans favor gun control

Fact: Few "surveys" conducted in this country on the subject of gun control are unbiased. Professional survey designers have criticized both Harris and Gallup gun surveys for their construction – that the surveys have been designed to reach a desired conclusion.²⁰⁸

Fact: Americans believe parents and popular culture are more responsible for violence in America than firearms.²⁰⁹

Cause of Gun Violence	Percent
The way parents raise their children	45%
Popular culture	26%
Availability of guns	21%
Other	6%
No opinion	2%

Fact: A recent and well-constructed survey by Time Magazine showed some interesting results. From 33,202 adult Americans surveyed in 1998:

	Yes	No
Should the U.S. have stricter gun control laws?	6.73%	92.25%
Do you believe that allowing people to carry concealed weapons reduce crime?	92.22%	7.76%
Do you believe that U.S. cities should sue gun manufacturers to recoup money spent dealing with gun-related crime?	1.96%	98.01%

²⁰⁶ Bureau of Alcohol, Tobacco and Firearms, 1997

²⁰⁷ Gallup/Women.com poll, May 2000

²⁰⁸ Often these surveys use questions like "If it reduced crime, would you favor stronger gun control laws". These questions are rephrased in headline to read "Americans demand gun control" while ignoring the leading goal of reducing crime. These surveys also fail to ask counter balancing questions to prove/disprove any bias in questions. For example, a counter-balancing question might be "If it were shown that gun control laws were ineffective in preventing crime, would you favor enacting more gun control laws?"

²⁰⁹ Gallup Poll, May 2000 – this despite a question design which made “availability of guns” the most likely choice due to order ranking.

How would you rate the effectiveness of the Brady Bill and the "assault weapons" ban in preventing the illegal use and distribution of guns?

0.52%	Very effective
3.79%	Somewhat effective
6.19%	Somewhat effective
87.27%	Not at all effective
2.23%	Don't know

Fact: Associated Press poll in April, 2000 showed 42% thought stricter enforcement was more likely to cut gun violence, while only 33% said enacting tougher gun laws was a better approach.

Fact: A survey in April, 2000 by ABC News/Washington Post asked whether "passing stricter gun control laws" or "stricter enforcement of existing laws" is the best way to curb gun violence. Enforcement was preferred by 53 percent to 33 percent.

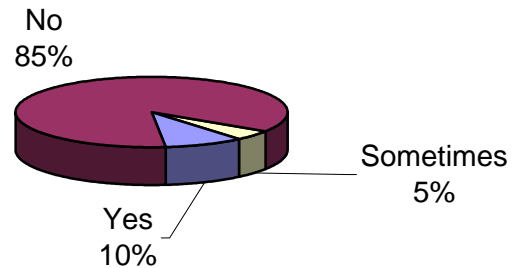
Fact: A 1999 survey by CBS (hardly a pro gun organization) found these responses:

- Only 14% of Americans believe that gun control can prevent violence with guns.
- 56% of people said enforcement of existing laws is the better way to reduce violent crime than new gun control laws.
- Only 4% said gun control should be a top issue for the government.

Fact: A 1999 survey by the Associated Press showed:

- Most Americans (49%) felt enforcing existing laws was the key to reducing violent crime.
- 52% felt that background checks did not help reduce the number of crimes committed with guns.

Should gun manufacturers be held liable for gun violence (CNN survey)?

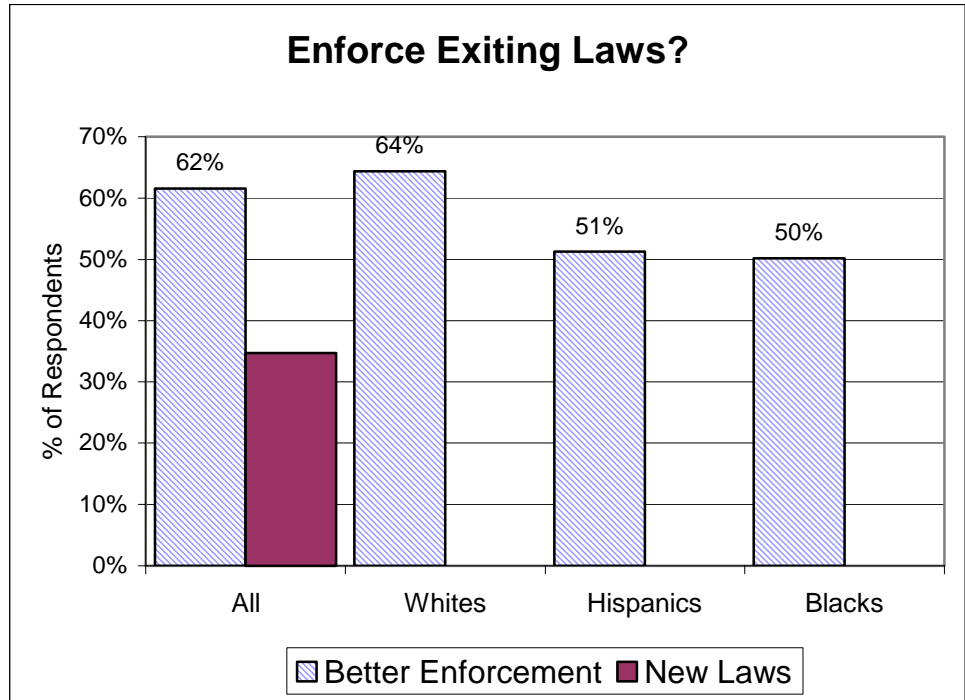


Fact: CNN survey of 100,528 respondents in the summer of 1999 asked if gun makers should be held liable for gun violence. Obviously not.

Fact: According to an AOL.com poll in March 2000:

How can gun violence be most effectively prevented?	People	Percent
Stricter gun control laws	10841	17.8%
Proper enforcement of current gun control laws	13587	22.4%
Ban on handguns	8008	13.2%
Stricter punishment for crimes involving guns	21596	35.6%
Other	5094	8.4%
Not sure	1613	2.7%

Fact: A 2000 Zogby telephone survey of 1,201 adults concluded, that by almost a two-to-one margin, Americans prefer enforcement of existing laws instead of new and tougher gun legislation to fight crime. The same poll found that 68% of the public disagrees with cities suing gun makers for the criminal misuse of guns.



Fact: A December 2000 Zogby poll of 1,028 American adults showed they felt enforcing current laws was the “best way to solve gun violence in America”

Zogby December 2000 Survey	
Enforce existing laws	52%
Banning handguns	15%
Teach children self-control	15%
Additional congressional legislation	2%
Other	8%
Don't know	2%

Fact: 58% percent of Americans believe better enforcement of existing laws "is a better way to reduce handgun violence" than new gun control laws.²¹⁰

Fact: A January 2001 Zogby "American Values" poll found that 66% of voters felt the U.S. should spend more money enforcing current laws including mandatory jail time for those who commit a crime with a handgun, while only 26% felt there should be more gun control laws including mandatory gun locks."

Drop by www.FundTheCause.com and contribute to all of the pro-rights organizations.

²¹⁰ Portrait of America survey, August 2000

FAMOUS GUN GRABBERS

Politicians

BILL CLINTON, FORMER PRESIDENT OF THE UNITED STATES

"Only the police should have handguns."

"When we got organized as a country, we wrote a fairly radical Constitution with a radical Bill of Rights, giving a radical amount of individual freedom to Americans. There's too much personal freedom. When personal freedom's being abused, you have to move to limit it."²¹¹

Fact: Wang Jun (son of the late Chinese President Wang Zhen) who is chairman of the China International Trade and Investment Company and President of Polytechnologies Corp., attended a White House coffee with Clinton in February 1996 and was granted a meeting with Commerce Secretary Ronald Brown the next day.

He also was connected to more than \$600,000 in illegal campaign contributions to the Democrats, the report said. Polytechnologies is an arms-trading company indicted for trying to smuggle 2,000 Chinese AK-47 assault rifles into the United States and it is the largest of the corporate structures owned by the People's Liberation Army.²¹²

V.I. LENIN

"One man with a gun can control 100 without one. ... Make mass searches and hold executions for found arms,"

DIANNE FEINSTEIN, U.S. SENATOR FROM CALIFORNIA

"Banning guns addresses a fundamental right of all Americans to feel safe."²¹³

"If I could have gotten 51 votes in the Senate of the United States for an outright ban, picking up every one of them: "Mr. and Mrs. America, turn 'em all in," I would have done it."²¹⁴

"The national guard fulfills the militia mentioned in the Second amendment. Citizens no longer need to protect the states or themselves."

JOSEPH STALIN

"If the opposition disarms, well and good. If it refuses to disarm, we shall disarm it ourselves"

²¹¹ MTV's "Enough is Enough", March 22, 1994

²¹² CNN May 24, 1999

²¹³ Associated Press, November 18, 1993

²¹⁴ CBS-TV's "60 Minutes," February 5, 1995

FRANK LAUTENBERG, U.S. SENATOR FROM NEW JERSEY

"We have other legislation that all of you are aware that I have been so active on, with my colleagues here, and that is to shut down the gun shows."²¹⁵

ADOLF HITLER

"The most foolish mistake we could possibly make would be to allow the subject races to possess arms. History shows that all conquerors who have allowed their subject races to carry arms have prepared their own downfall by so doing."²¹⁶

HOWARD METZENBAUM, FORMER U.S. SENATOR

"No, we're not looking at how to control criminals ... we're talking about banning the AK-47 and semi-automatic guns."

PETE STARK, U.S. REPRESENTATIVE FROM CALIFORNIA

"If a bill to ban handguns came to the house floor, I would vote for it."²¹⁷

WILLIAM CLAY, U.S. REPRESENTATIVE FROM MISSOURI

"...we need much stricter gun control, and eventually should bar the ownership of handguns"

JOSEPH BIDEN, U.S. SENATOR FROM DELAWARE

"Banning guns is an idea whose time has come."

JOHN CHAFEE, FORMER U.S. SENATOR FROM RHODE ISLAND

"I shortly will introduce legislation banning the sale, manufacture or possession of handguns (with exceptions for law enforcement and licensed target clubs). . . . It is time to act. We cannot go on like this. Ban them!"²¹⁸

JAN SCHAKOWSKY, U.S. REPRESENTATIVE FROM ILLINOIS

"I believe.....this is my final word.....I believe that I'm supporting the Constitution of the United States which does not give the right for any individual to own a handgun...."²¹⁹

²¹⁵ Press conference on March 1, 2000

²¹⁶ Hitler's Secret Conversations, trans. Norman Cameron and R. H. Stevens (New York: Signet Books, 1961), 403

²¹⁷ Town Hall Meeting, June 1999, Fremont California

²¹⁸ In View of Handguns' Effects, There's Only One Answer: A Ban, Minneapolis Star Tribune, June 15, 1992, at 13A

²¹⁹ Tape recorded on June 25, 2000 by Matt Beauchamp at the Chicago Gay Pride Parade

MAJOR OWENS, U.S. REPRESENTATIVE FROM NEW YORK

“We have to start with a ban on the manufacturing and import of handguns. From there we register the guns which are currently owned, and follow that with additional bans and acquisitions of handguns and rifles with no sporting purpose.”

BOBBY RUSH, U.S. REPRESENTATIVE FROM ILLINOIS

"My staff and I right now are working on a comprehensive gun-control bill. We don't have all the details, but for instance, regulating the sale and purchase of bullets. Ultimately, I would like to see the manufacture and possession of handguns banned except for military and police use. But that's the endgame. And in the meantime, there are some specific things that we can do with legislation." ²²⁰

ACTS OF VIOLENCE COMMITTED BY MEMBERS OF GUN CONTROL ORGANIZATIONS

- Barbara Graham, speaker at the “Million Mom March” in 2000, was convicted of shooting and paralyzing for life a man she mistook as one who had killed her son.²²¹
- In Fort Collins, a woman who opposes the right of self-defense struck a member of the Tyranny Response Team with a clipboard.
- At a rally in Boulder early in 2000, Robert Howell, vice president of the anti-gun Boulder Bell Campaign, attacked Shariar Ghalam, bloodying his nose. (Ghalam was carrying a concealed handgun but never drew it, not believing his life was in danger.)
- In the summer of 2000, supporters of the anti-gun Million Mom March stole supplies from the Second Amendment Sisters and vandalized SAS property.
- Ari Armstrong, a pro-civil rights activist in Colorado, received threatening telephone calls allegedly from members of S.A.F.E (an anti-gun group) after Ari appeared on television promoting firearm freedoms.²²²
- Miami Mayor Joe Carollo, who spearheaded suits against the gun industry, was arrested after allegedly striking his wife in the head with a terra-cotta canister.²²³

Anti-freedom political activists

THE COALITION TO STOP GUN VIOLENCE

"It is our aim to ban the manufacture and sale of handguns to private individuals."²²⁴

“We will never fully solve our nation's horrific problem of gun violence unless we ban the manufacture and sale of handguns and semiautomatic assault weapons.”²²⁵

²²⁰ Chicago Tribune, December 5, 1999

²²¹ Washington Post, February 2, 2001, “Mother Convicted in Shooting”, Page B01 – January 24, 2001, “Woman Goes on Trial In Ambush Shooting”, Page B01

²²² Compiled and reported by the Boulder Weekly, August 24, 2000

²²³ Associated Press, February 7, 2001

²²⁴ Recruiting flyer, 1996

NELSON T. "PETE" SHIELDS, CHAIRMAN EMERITUS, HANDGUN CONTROL, INC.²²⁶

" the final problem is to make the possession of all handguns and all handgun ammunition except for the military, policemen, licensed security guards, licensed sporting clubs, and licensed gun collectors -- totally illegal."²²⁷

"Yes, I'm for an outright ban (on handguns)."²²⁸

"We'll take one step at a time, and the first is necessarily - given the political realities - very modest. We'll have to start working again to strengthen the law, and then again to strengthen the next law and again and again. Our ultimate goal, total control of handguns, is going to take time. The first problem is to slow down production and sales. Next is to get registration. The final problem is to make possession of all handguns and ammunition (with a few exceptions) totally illegal."²²⁹

SARAH BRADY, CHAIRPERSON FOR HANDGUN CONTROL, INC. (NOW THE BRADY CAMPAIGN)

"...I don't believe gun owners have rights."²³⁰

"We would like to see, in the future, what we will probably call needs-based licensing of all weapons. ...Where it would make it much more difficult for anybody to be able to purchase handguns...."²³¹

"To me, the only reason for guns in civilian hands is for sporting purposes."²³²

ELLIOT CORBETT, SECRETARY, NATIONAL COUNCIL FOR A RESPONSIBLE FIREARMS POLICY

"Handguns should be outlawed."

BERNARD PARKS, CHIEF OF POLICE, L.A. CALIFORNIA

"We would get rid of assault weapons. There would not be an assault weapon in the United States, whether it's for a show or someone having it in a collection."²³³

JOSH SUGARMANN, EXECUTIVE DIRECTOR OF THE VIOLENCE POLICY CENTER

"... any rational regulator with that authority would ban handguns."²³⁴

²²⁵ Jeff Muchnick, Legislative Director, USA Today, December 29, 1993

²²⁶ It is interesting to note that HCI was originally named National Council to Ban Handguns.

²²⁷ "The New Yorker", July 26, 1976

²²⁸ 60 Minutes interview

²²⁹ New Yorker Magazine, June 26, 1976, pg. 53

²³⁰ Hearst Newspapers Special Report, "Handguns in America" October 1997

²³¹ Sarah Brady speech to the Women's National Democratic Club, Sept. 21, 1993

²³² Tampa Tribune, Oct 21, 1993

²³³ Reuters, June 9, 2000

²³⁴ Houston Chronicle, Nov. 5, 1999

PATRICK V. MURPHY, FORMER NEW YORK CITY POLICE COMMISSIONER

"We are at the point in time and terror where nothing short of a strong uniform policy of domestic disarmament will alleviate the danger which is crystal clear and perilously present. Let us take the guns away from the people."²³⁵

AMERICAN CIVIL LIBERTIES UNION (ACLU)

"We urge passage of federal legislation . . . to prohibit . . . the private ownership and possession of handguns."²³⁶

ROSIE O'DONNELL, TV TALK SHOW HOSTESS

"I think there should be a law -- and I know this is extreme -- that no one can have a gun in the U.S. If you have a gun, you go to jail. Only the police should have guns."²³⁷

VIOLENCE POLICY CENTER

"[gun] Licensing systems are very expensive to administer . . . licensing and registration in America would have little effect on the vast majority of gun violence."

The media

MICHAEL GARDNER, PRESIDENT OF NBC NEWS

"There is no reason for anyone in this country . . . to buy, to own, to have, to use a handgun ... The only way to control handgun use in this country is to prohibit the guns."²³⁸

"In fact, only police, soldiers -- and, maybe, licensed target ranges -- should have handguns. No one else needs one."²³⁹

CHARLES KRAUTHAMMER, SYNDICATED COLUMNIST

"The Brady Bill's only effect will be to desensitize the public to regulation of weapons in preparation for their ultimate confiscation."²⁴⁰

"Passing a law like the assault weapons ban is a symbolic, purely symbolic move. ... Its only real justification is not to reduce crime but to desensitize the public to the regulation of weapons in preparation for their ultimate confiscation."²⁴¹

²³⁵ Testimony to the National Association of Citizens Crime Commissions

²³⁶ Board of Directors in September 1976 - see national ACLU policy #47

²³⁷ Ottawa Sun, April 29, 1999

²³⁸ USA Today, January 16, 1992

²³⁹ The Wall Street Journal, January 10, 1991

²⁴⁰ The Washington Post, April 5, 1996

²⁴¹ Ibid

EDITORIAL, LOS ANGELES TIMES

“Why should America adopt a policy of near-zero tolerance for private gun ownership? Because it's the only alternative to the present insanity. Without both strict limits on access to new weapons and aggressive efforts to reduce the supply of existing weapons, no one can be safe.”²⁴²

“...The Times supports a near-total ban on the manufacture and private ownership of handguns and assault weapons, leaving those guns almost exclusively in the hands of law enforcement officials.”²⁴³

JACK E. WHITE, TIME MAGAZINE NATIONAL CORRESPONDENT

“Why not just ban the ownership of handguns when nobody needs one? Why not just ban semi-automatic rifles? Nobody needs one.”²⁴⁴

GARY WILLS, SYNDICATED COLUMNIST

“Every civilized society must disarm its citizens against each other.”²⁴⁵

The media in general

A two-year study by the Media Research Center concluded that television reporters are overwhelmingly opposed to Second Amendment rights. For broadcasts from major networks from July 1, 1995 to June 30, 1997, covering 244 gun policy stories:

- The ratio of anti-gun to pro-gun bias was 16:1.
- Anti-gun spokespeople (Sarah Brady, etc) were given three times the number of sound bites than pro-gun spokespeople (NRA, etc).

Your Government

The following exchange is from the appeal of the case of U.S. vs. Emerson in the Fifth Circuit Court. Meteja was the attorney for the U.S. Government.

Judge Garwood: [to Federal lawyer]: "You are saying that the Second Amendment is consistent with a position that you can take guns away from the public? You can restrict ownership of rifles, pistols and shotguns from all people? Is that the position of the United States?"

Meteja: [government lawyer]: "Yes"

²⁴² Taming The Monster: Get Rid of the Guns, Dec. 28, 1993

²⁴³ Taming the Monster: The Guns Among Us, editorial, Dec. 10, 1993

²⁴⁴ Washington Times, May 8, 1999

²⁴⁵ Philadelphia Inquirer, May 17, 1981

Garwood: "Is it the position of the United States that persons who are not in the National Guard are afforded no protections under the Second Amendment?"

Meteja: Exactly.

Meteja then said that even membership in the National Guard isn't enough to protect the private ownership of a firearm. It wouldn't protect the guns owned at the home of someone in the National Guard.

Garwood: Membership in the National Guard isn't enough? What else is needed?

Meteja: The weapon in question must be used in the National Guard.

GEORGE NAPPER, ATLANTA PUBLIC-SAFETY COMMISSIONER

"If I had my druthers, the only people who would have guns would be those who enforce the law."²⁴⁶

JANET RENO, FORMER U.S. ATTORNEY GENERAL

"The most effective means of fighting crime in the United States is to outlaw the possession of any type of firearm by the civilian populace."²⁴⁷

PRO-FREEDOM QUOTES

JOHN F. KENNEDY, PRESIDENT OF THE UNITED STATES

"Today, we need a nation of Minutemen, citizens who are not only prepared to take arms, but citizens who regard the preservation of freedom as the basic purpose of their daily life and who are willing to consciously work and sacrifice for that freedom."

MAHATMA GANDHI, PEACEFUL REVOLUTIONARY

"Among the many misdeeds of the British rule in India, history will look upon the act of depriving a whole nation of arms, as the blackest."

HUBERT HUMPHREY, FORMER U.S. SENATOR AND VICE PRESIDENT OF THE UNITED STATES

"Certainly one of the chief guarantees of freedom under any government, no matter how popular and respected, is the right of citizens to keep and bear arms.... The right of citizens to bear arms is just one guarantee against arbitrary government, one more safeguard against tyranny... "

JOHN ADAMS, PRESIDENT OF THE UNITED STATES

"Arms in the hands of the citizens may be used at individual discretion for the defense of the country, the overthrow of tyranny or private self-defense."

²⁴⁶ U.S. News and World Report

²⁴⁷ Addressing a 1991 B'nai B'rith gathering in Ft. Lauderdale

Resistance to sudden violence, for the preservation not only of my person, my limbs, and life, but of my property, is an indisputable right of nature which I have never surrendered to the public by the compact of society, and which perhaps, I could not surrender if I would."²⁴⁸

ST. GEORGE TUCKER, AMERICAN REVOLUTION MAJOR AND POST REVOLUTION JUDGE

"In America we may reasonably hope that the people will never cease to regard the right of keeping and bearing arms as the surest pledge of their liberty."²⁴⁹

WALTER MONDALE, FORMER VICE PRESIDENT AND U.S. AMBASSADOR TO JAPAN

"Gun bans don't disarm criminals, gun bans attract them."²⁵⁰

THOMAS JEFFERSON, AUTHOR OF THE AMERICAN DECLARATION OF INDEPENDENCE

"No freeman shall ever be debarred the use of arms."

"What country can preserve it's liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance. Let them take arms."²⁵¹

JAMES MADISON, AMERICAN FOUNDING FATHER

"[The Constitution preserves] the advantage of being armed which Americans possess over the people of almost every other nation...(where) the governments are afraid to trust the people with arms."

OLIVER STONE, MOVIE DIRECTOR

"I like automatic weapons. I fought for my right to use them in Vietnam."

PATRICK HENRY, AMERICAN FOUNDING FATHER AND CATALYST FOR THE BILL OF RIGHTS

"The great objective is that every man be armed Everyone who is able may have a gun."

MACHIAVELLI

"The Swiss are well armed and enjoy great freedom"²⁵²

TENCHE COXE, REVOLUTIONARY ERA WRITER

"The unlimited power of the sword is not in the hands of either the federal or state governments, but, where I trust in God it will ever remain, in the hands of the people."

²⁴⁸ Boston Gazette, Sept. 5, 1763

²⁴⁹ American Blackstone, 1803

²⁵⁰ April 20, 1994

²⁵¹ Letter to James Madison, Dec. 20, 1787, in Papers of Jefferson, ed. Boyd et al.

²⁵² In Switzerland, all males age 20 to 42 are required to keep rifles or pistols at home.

"As civil rulers, not having their duty to the people before them, may attempt to tyrannize, and as the military forces which must be occasionally raised to defend our country, might pervert their power to the injury of their fellow citizens, the people are confirmed by the article in their right to keep and bear their private arms."²⁵³

"Congress have no power to disarm the militia. Their swords, and every other terrible implement of the soldier, are the birthright of an American... The unlimited power of the sword is not in the hands of either the federal or state government, but, where I trust in God it will ever remain, in the hands of the people"²⁵⁴

MALCOLM X, AMERICAN BLACK CIVIL RIGHTS ACTIVIST

"It is criminal to teach a man not to defend himself when he is the constant victim of brutal attacks. It is legal and lawful to own a shotgun or a rifle. We believe in obeying the law."²⁵⁵

"... I must say this concerning the great controversy over rifles and shotguns. The only thing I've ever said is that in areas where the government has proven itself either unwilling or unable to defend the lives and the property of Negroes, it's time for Negroes to defend themselves. Article number two of the constitutional amendments provides you and me the right to own a rifle or a shotgun. It is constitutionally legal to own a shogun or a rifle."²⁵⁶

SAMUEL ADAMS, MEMBER OF THE CONTINENTAL CONGRESS

"That the said Constitution shall never be construed to authorize Congress to infringe the just liberty of the press or the rights of conscience; or to prevent the people of The United States who are peaceable citizens from keeping their own arms..."²⁵⁷

WILLIAM RAWLE, POST-REVOLUTION U.S. ATTORNEY

"The prohibition is general. No clause in the Constitution could by any rule of construction be conceived to give to Congress a power to disarm the people. Such a flagitious attempt could only be made under some general pretense by a state legislature. But if in any blind pursuit of inordinate power, either should attempt it, this amendment may be appealed to as a restraint on both."²⁵⁸

THOMAS PAINE, AMERICAN REVOLUTION POLITICAL PHILOSOPHER

"Arms, like laws, discourage and keep the invader and plunderer in awe and preserve order..."

²⁵³ Remarks on the First Part of the Amendments to the Federal Constitution under the pseudonym 'A Pennsylvanian' in the Philadelphia Federal Gazette, June 18, 1789 at 2 col. 1

²⁵⁴ Pennsylvania Gazette, Feb. 20, 1788

²⁵⁵ March 12, 1964

²⁵⁶ April 3, 1964. *Malcolm X Speaks* (New York: Merit Publishers, 1965)

²⁵⁷ Debates and Proceedings in the Convention of the Commonwealth of Massachusetts, at 86-87

²⁵⁸ A View of the Constitution 125-6 (2nd ed. 1829)

MAFIA INFORMANT SAMMY "THE BULL" GRAVANO

"Gun control? It's the best thing you can do for crooks and gangsters. I want you to have nothing. If I'm a bad guy, I'm always gonna have a gun. Safety locks? You will pull the trigger with a lock on, and I'll pull the trigger. We'll see who wins."

RICHARD HENRY LEE, MEMBER OF THE CONTENTIAL CONGRESS

"[W]hereas, to preserve liberty, it is essential that the whole body of the people always possess arms, and be taught alike, especially when young, how to use them,"²⁵⁹

ALEXANDER HAMILTON, AUTHOR OF THE FEDERALIST PAPERS

"The best we can hope for concerning the people at large is that they be properly armed."²⁶⁰

ZACHARIAH JOHNSON

"The people are not to be disarmed of their weapons. They are left in full possession of them."²⁶¹

TIMOTHY DWIGHT, ARMY CHAPLIN DURING THE AMERICAN REVOLUTION

"To trust arms in the hands of the people at large has, in Europe, been believed...to be an experiment fraught only with danger. Here by a long trial it has been proved to be perfectly harmless...If the government be equitable; if it be reasonable in its exactions; if proper attention be paid to the education of children in knowledge and religion, few men will be disposed to use arms, unless for their amusement, and for the defense of themselves and their country."²⁶²



[Click Here See What Project Five Million Is All About](#)

²⁵⁹ Letters from the Federal Farmer to the Republican, at 21,22,124

²⁶⁰ The Federalist Papers at 184-8

²⁶¹ 3 Elliot, Debates at 646

²⁶² Travels in New England and New York [London 1823]

THOUGHTS ON GUN CONFISCATION

In 1911, Turkey established gun control. Subsequently, from 1915 to 1917, 1.5-million Armenians, deprived of the means to defend themselves, were rounded up and killed.

In 1929, the Soviet Union established gun control. Then from 1929 to 1953, approximately 20-million dissidents were rounded up and killed.

In 1938 Germany did establish gun control. From 1939 to 1945 over 13-million Jews, gypsies, homosexuals, mentally ill, union leaders, Catholics and others, unable to fire a shot in protest, were rounded up and killed.

In 1935, China established gun control. Subsequently, between 1948 and 1952, over 20-million dissidents were rounded up and killed.

In 1956, Cambodia enshrined gun control. In just two years (1975-1977) over one million "educated" people were rounded up and killed.

In 1964, Guatemala locked in gun control. From 1964 to 1981, over 100,000 Mayan Indians were rounded up and killed as a result of their inability to defend themselves.

In 1970, Uganda got gun control. Over the next nine years over 300,000 Christians were rounded up and killed.

Over 56-million people have died because of gun control in the last century . . .

Senator Diane Feinstein, speaking on "60-Minutes" said "if I thought I could get the votes, I'd have taken them all."

SERIOUS QUESTIONS TO ASK YOURSELF

- If guns are effective enough to be a criminal's preferred tool, why are they not good enough to use for protection?
- Why do lawmakers insist their bodyguards be armed, but not you and I?
- If you and your children were face to face with a male attacker twice your size, what *would* you do – If you weren't armed? If you were armed?
- If guns are "too dangerous" to be in our society, how come our leaders want to be the only ones who have them? Do you trust our leaders implicitly to protect you *at all times*?
- Which is better – more gun control and the eventual banning of all guns in our society, or not sitting by helplessly watching as an intruder repeatedly rapes your 13-year-old daughter?
- If we ever completely ban guns, do you think there will be no more armed criminals in America?
- With so many gun laws already on the books, how come "gun crimes" still exist?

POLITICAL POSITIONING STATEMENTS

Their Term	Our Term
The gun lobby	Civil rights organizations
Common sense legislation	Non-sense legislation Dangerous utopian ideas
Reasonable gun controls	Victim disarmament
Gun control laws	Civil rights violations Infringement laws
Gun control	Power grab Citizen abuse

MISCELLANEOUS STATISTICS

Number of firearm in America: 228,000,000²⁶³

Number of firearm owning households: At least 50,600,000²⁶⁴

Projected firearm owning households in America: 60-85 million

Number of guns used in crimes: 450,000²⁶⁵

Percentage of guns used in crimes: 0.09%

Violent crimes committed daily by paroled prisoners:

Murders: 14

Rapes: 48

Robberies: 578

PLACES TO FIND THE CURRENT VERSION OF GUN FACTS

<http://members.home.net/guys/GunFacts.pdf>

<http://www.keepandbeararms.com/images/gunfacts.pdf>

<http://www.Gunnery.Net/gunfacts.pdf>

http://www.guncite.com/gun_control_gun_facts.pdf

<http://www.concealcarry.org>

<http://www.gw.total-web.net/~rbrandes/>

<http://www.imagineonline.net/ncci/gunfacts.pdf>

<http://www.guns-world.net>

<http://www.secondfreedom.net>

²⁶³ BATF estimate, 1999

²⁶⁴ Surveys show a “reported” ownership rate of 46%, but it is universally believed that these surveys under-reported (i.e., people that own firearms don’t want to admit so to a pollster). This is validated by surveys performed by the National Opinion Research Center. They perform their surveys face-to-face at the respondent’s home, and routinely have reported gun ownership rates 3-6% lower than telephone based surveys.

²⁶⁵ Ibid.