



9 Reasons Why Progress on Stronger Gun Laws Is Within Reach

Arkadi Gerney and Chelsea Parsons

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In the weeks that followed the tragic shooting at Sandy Hook Elementary School in Newtown, Connecticut, this past December, advocates for stronger gun laws focused their efforts on a proposal to require background checks for most gun sales between unlicensed buyers and sellers to prevent criminals and other dangerous people from easily buying guns with no questions asked. Three weeks ago, however, the Senate came six votes short of the 60 votes required to advance this legislation, known as the Manchin-Toomey amendment, that would have expanded gun background checks to all gun shows, online purchases, and advertised sales.¹

Some observers were quick to point to the vote as evidence of the Nation Rifle Association's, or NRA's, enduring power, but there are several reasons to believe that the gun lobby's dominance is in jeopardy and that its victory in the Senate may have been a pyrrhic one. Below are nine reasons why progress on stronger gun laws is, in fact, still within reach.

1. Swing-state momentum

In April 2008 presidential candidates Barack Obama and Hillary Clinton, then Democratic senators of Chicago and New York, respectively, were in a month-long pitched battle to win the Pennsylvania primary. The contest played out as Sen. Obama's remarks at a San Francisco fundraising event regarding "clinging to guns and religion" became public. The remarks set off a firestorm and sent both candidates into a mode of proving their pro-gun bona fides in the run-up to the Pennsylvania primary. The Clinton campaign even circulated mail pieces asking, "Where does Barack Obama really stand on guns?" and suggesting that he favored a total ban on handguns.² While Pennsylvania does have the second-largest concentration of NRA members of any state,³ it was odd to see candidates in a Democratic primary going so far to stress their pro-gun positions in a state that suffers high rates of gun crime.

Around the same time in early 2008, a small group of leading gun-violence-prevention advocates and funders developed a strategy to focus resources on a handful of key “purple” states, with three states at the top of the list: Pennsylvania, Colorado, and Virginia. What followed was a concerted effort to build coalitions of mayors and law enforcement, strengthen the voices of gun-violence survivors, develop in-state gun-violence-prevention organizations, and contest elections. The fruit of that strategy is evident today.

Pennsylvania

Over the past five years, Mayors Against Illegal Guns has built a coalition of more than 150 mayors across Pennsylvania,⁴ and the nation’s strongest state-level gun advocacy group, CeasefirePA, has built a vast network of grassroots supporters.⁵ These efforts helped turn Sens. Bob Casey (D-PA) and Pat Toomey (R-PA)—both of whom received an “A” rating from the NRA—into advocates for tighter gun background checks.⁶ The efforts also influenced two Republicans in the Pennsylvania U.S. House delegation—Rep. Mike Fitzpatrick and Rep. Pat Meehan—to support comprehensive background checks.⁷

Colorado

Over the past five years in Colorado, a small band of survivors of the 1999 Columbine High School mass shooting, along with family members of victims, have teamed with local mayors and other advocates, undertaking a series of campaigns to advance gun-violence-prevention legislation. In the midst of his re-election campaign in 2010, for example, Sen. Michael Bennet (D-CO) endorsed background checks on all gun-show sales, provoking the NRA to double down on its efforts to promote his opponent Ken Buck.⁸ But as the campaign played out, Buck’s extreme positions on guns—including his misconduct in a case against a corrupt gun dealer⁹—became a liability.

Sen. Bennet won the support of Colorado sportsmen,¹⁰ and even NRA board member Bob Barr called out Ken Buck on his gun extremism.¹¹ These efforts helped tilt a tight race in favor of Sen. Bennet and, along with the Aurora mass shooting in July 2012, they provided an impetus to advance gun-violence-prevention legislation within the state. Two months ago those years of preparing the ground in Colorado proved fruitful: The state legislature passed and Gov. John Hickenlooper (D) signed comprehensive gun reform legislation which included universal background checks and a ban on high-capacity magazines.¹²

Virginia

In Virginia the gains have been more limited. The Virginia Tech shooting in 2007 put guns in the spotlight, and survivors of the shooting, as well as family members of victims, have developed into the state’s leading advocates for expanded background checks. In the years since the shooting, however, the state legislature has consistently blocked the background-check measure and reversed a law passed in the 1990s to limit handgun sales to one handgun per month.¹³

But there is evidence of progress. In 2010 a \$450,000 independent expenditure focused on gun background checks was credited for the defeat of Republican Keith Fimian by 900 votes in a U.S. House race for the district where the NRA is headquartered.¹⁴ The gun issue will likely be contested again in Virginia’s 2013 races.

The bottom line: With advocates for stronger gun laws gaining ground in Pennsylvania, Colorado, and Virginia, the prospects nationally are bright.

2. Evolving demographics

Our country is undergoing a culture shift on guns. While the number of guns in circulation in the country has continued to rise,¹⁵ the percentage of households that own guns has been steadily declining for the past three decades, reaching a low of 34 percent in 2012, down from an average of 50 percent in the 1970s.¹⁶ Fewer Americans own guns, but the ones who do are likely to own more guns than ever. Driving this trend are declining gun-ownership rates among young people. Data from the General Social Survey, a public-opinion survey conducted every two years, found that household gun-ownership rates among people under 30 fell to 23 percent in 2012. This is down from a high of 47 percent in the 1970s.¹⁷

Not only are fewer young people choosing to own guns than in previous generations, but they are also expressing evolving views on the role of guns in American culture. An April 2013 poll commissioned by the Center for American Progress, Campus Progress, and Mayors Against Illegal Guns and conducted by Democratic pollster Mike Bocian and Republican pollster Bob Carpenter reveals that young Americans have increasing concerns about the widespread presence of guns in society. Seventy percent of respondents under the age of 30 agreed that “the gun culture in our society has gotten out of control,” and 52 percent said that they feel safer in communities with fewer guns, with only 32 percent holding the opposite view.¹⁸ Part of this concern about guns may come from personal experience with gun violence. Thirty percent of people under the age of 30 reported having been personally affected or knowing someone who has been affected by gun violence, and 60 percent expressed concern that gun violence may affect them or their communities in the future.¹⁹ These numbers were even higher among young African Americans, Latinos, and Asian Americans: Collectively, 73 percent reported worrying about being personally affected by gun violence in the future.²⁰

These views about, as well as the experience of, the gun culture among younger Americans appear to translate into higher support for specific policies. The Bocian and Carpenter poll shows that while background checks for all gun sales are popular among Americans over the age of 30—86 percent said that they support such a law—it is even more popular among Americans aged 18 to 29, with 92 percent saying that they support the measure.²¹

3. A new center of gravity

Two weeks ago Mayors Against Illegal Guns celebrated its seventh birthday. On April 25, 2006, 15 mayors from across the country—Democrats, Republicans, and independents alike—gathered to discuss how they could work together to address the issue of gun violence in their communities. As mayors, they were the elected officials who the public held responsible for crime, and as mayors, they were expected to solve problems rather than just endlessly debate them. That day those 15 mayors, led by New York City Mayor Michael Bloomberg—now an independent but then a Republican—and Boston Mayor Tom

Menino (D), formed a coalition focused on sharing best practices to combat gun crime and collectively advocating for action in Washington. Seven years later Mayors Against Illegal Guns has grown to almost 1,000 mayors with 1.5 million grassroots supporters, and today it represents the leading organization in the fight for stronger gun laws.²²

Likewise, survivors of gun violence have become far more organized. Former Rep. Gabby Giffords (D-AZ) and her husband Mark Kelly formed Americans for Responsible Solutions to advocate for stronger gun laws and contest the 2014 elections. And in the wake of Newtown, affected families have organized, come together, and been among the most effective advocates for stronger gun laws in the last several months.

This latest wave of organizational development follows a previous effort launched in 2000 by Americans for Gun Safety and other groups to gain traction on gun issues by reframing the issue as one of gun safety rather than gun control. These efforts made some headway in redefining the rhetoric of the gun debate, but the shift in message and policy objectives was not matched by a massive organizing campaign to form a new bulwark of advocates for stronger gun laws.

The work of Mayors Against Illegal Guns, Americans for Responsible Solutions, and others is an attempt to once again redefine the issue. The mayors and other rising advocates have come to focus not on banning particular kinds of guns but on measures such as comprehensive background checks, which are designed to keep all guns out of the hands of criminals and other dangerous people. This approach, designed to both respect the rights of responsible gun owners and crack down on criminal access to firearms, has found broad public support. Even more important than this more focused set of policy objectives, the mayors' group and the other new advocates are bringing organization, sophisticated advocacy, grassroots activity, and financial backing to the issue.

4. Widening divide between the NRA leadership and public opinion—even among gun owners

It has never been clearer that the NRA leadership does not represent the opinion of most Americans—or even most gun owners. While the NRA leadership opposes any expansion in gun background checks,²³ polls show that between 80 percent and 90 percent of Americans support expanded background checks.²⁴ Even gun owners, the constituency that the NRA claims to speak for, overwhelmingly support expanded background checks. And remarkably, NRA members themselves support expanding background checks to ensure that criminals can't easily buy guns. A poll by Republican pollster Frank Luntz last summer found that 74 percent of NRA members support background checks for all gun sales.²⁵ A similar CBS News/*New York Times* poll, conducted in January soon after the Sandy Hook shooting, found that 85 percent of NRA households supported background checks on all gun sales.²⁶

This disconnect between the extreme positions taken by the NRA leadership and the desires of a vast majority of Americans—including gun owners—to enact common-sense gun-law reforms cannot be sustained. The NRA leadership’s intransigence on issues such as expanded gun background checks has alienated it not only from most Americans but also from increasing numbers of gun owners. A Gallup poll conducted in December 2012 bears this out. Forty-nine percent of gun owners said that the NRA represented their views on guns only “sometimes” or “never.”²⁷

5. The NRA’s path not followed

Once upon a time the NRA was a sportsmen’s organization that focused on marksmanship and hunting and had plans to move its headquarters to Colorado Springs to enhance its focus on recreational shooting activities.²⁸ But an internal coup at the NRA’s annual meeting in Cincinnati in 1977 resulted in the organization’s leadership being taken over by a group of hardliners focused on establishing it as a premier ideological advocacy group in Washington.²⁹

Even after this transformation following what became known as the Cincinnati Revolt, the NRA would still take an occasional moderate position on sensible proposals to keep guns out of the hands of criminals. Following the Columbine High School shooting, for example, the NRA supported requiring background checks at gun shows, going as far as to release a media campaign in support of the proposal titled “Be Reasonable.”³⁰ In the wake of Columbine, the NRA stated its support for “absolutely gun-free, zero-tolerance, totally safe schools.”³¹ But in the wake of Newtown, by contrast, a proposal to put more guns in schools was the centerpiece of the NRA’s response.³²

In recent years the NRA has taken an increasingly extreme position on every gun policy issue and even on matters that have only a tangential relationship to guns. For the first time in its history, for example, the NRA scored votes on Supreme Court nominees for the nominations of Sonia Sotomayor and Elena Kagan.³³ This action put Democratic senators in an impossible position: maintain a perfect record with the gun lobby or abandon a Supreme Court nominee on what is one of the most important votes a senator ever takes. In scoring the nominees, the NRA likely appealed to a base of members who identify with the Tea Party, but it alienated Democrats, independents, and some Republicans who thought that Sotomayor and Kagan were well-qualified nominees.

Scoring the Supreme Court votes for the first time in its history also created a way for the NRA to avoid endorsing Democrats such as Sen. Harry Reid (D-NV) in 2010 by factoring nongun-related votes into NRA ratings, which had the effect of lowering ratings for many Democrats. Sen. Reid has a long history of supporting gun rights, and he shepherded gun-lobby priority legislation such as the right to carry guns in national parks through a Senate dominated by Democrats. But with the new, more ideologically

driven NRA leadership and its all-or-nothing approach, the NRA sat on the sidelines as Sen. Reid faced a tight election in 2010 with Republican Senate nominee Sharron Angle.

While not endorsing Sen. Reid may have appealed to a base of NRA members who dislike the senator for reasons that have nothing to do with guns, such as his support for Obamacare, it also sent a message to Democrats, independents, and independent-minded Republicans who had been supportive of gun rights: The NRA's decision making is now being driven by the prerogatives of a broader ideological agenda that in some cases has nothing to do with guns.

Two weeks ago Sen. Reid gave his response to the NRA leaders: If it's all or nothing, then you'll get nothing. The Senate majority leader voted not only for expanded background checks but also supported bans on assault rifles and high-capacity magazines, and he reversed his 2009 position supporting a measure that would have gutted state laws on concealed gun carrying.³⁴ Likewise, seven other NRA A-rated senators—Sens. Bob Casey (D-PA); Joe Donnelly (D-IN); Martin Heinrich (D-NM); Joe Manchin (D-WV); John Tester (D-MT); Pat Toomey (R-PA); and Mark Warner (D-VA)—parted ways with the NRA leadership on the background-check vote.³⁵

6. Democrats and progressives are re-engaged

In 1993 and 1994 Congress passed the Brady Handgun Violence Prevention Act and the assault-weapons ban. Later in 1994, however, Democrats lost both houses of Congress. This defeat, along with the notion that it was tightly tied to gun politics, gave rise to the myth of the NRA's electoral omnipotence. There were some races that year where guns plausibly played a role, such as Democratic Rep. Jack Brooks's loss in Texas. But there were many other races, such as the defeat of House Speaker Tom Foley (D-WA), where claims about the impact of the gun issue are demonstrably false.³⁶ Nevertheless, the myth of Democratic vulnerability on guns took hold.

In the wake of 1994, a sort of “Stockholm syndrome”—the condition associated with kidnapping victims who begin to empathize with their kidnappers—overtook the Democratic Party. For almost two decades the Washington orthodoxy, even among Democrats, has been that it is best to avoid the gun issue, no matter how grievous the public policy implications of playing politically dead are or how extreme the NRA's positions are. The passivity of the abused has encouraged only abuse from the abuser.

That orthodoxy of avoiding guns has remained remarkably durable among Democratic leaders in Washington. In recent years, however, cracks have begun to emerge, and Newtown broke it apart. With the leadership of President Obama, Vice President Joe Biden, Sen. Reid, and House Minority Leader Nancy Pelosi (D-CA), Democrats once again made fighting gun crime and reducing gun violence a central tenet of the party.

Though four Senate Democrats voted against background checks two weeks ago, that vote will not be without consequences. As former White House Chief of Staff Bill Daley's *Washington Post* column several days after the background-check vote portends,³⁷ there will now be a price for breaking ranks on guns.

7. Recent election results

If the conventional wisdom has been that the NRA is an almighty juggernaut that cannot be defeated when it decides to spend money on a campaign, that wisdom failed spectacularly in the 2012 elections—a campaign season in which the NRA spent more than \$17 million.³⁸ The Sunlight Foundation, an organization that aims to increase transparency and accountability in Washington, looked at the return on investment of the independent expenditures of all major outside groups in the 2012 election by evaluating what percentage of the dollars spent aided the candidates who won. The foundation determined that no group performed worse than the NRA Political Victory Fund, the NRA's political action committee, which saw a less than 1 percent return on investment.³⁹ More than 99 percent of the dollars that the NRA spent went to losing campaigns. Furthermore, it's hard to point to any clear example of how the NRA helped a current member of Congress win any race that was defined by the gun issue in any recent election.

In contrast, advocates for stronger gun laws have recently proven to be extremely effective at influencing key congressional races. In 2012 pro-gun Rep. Joe Baca (D-CA) learned the hard way as Keith Fimian learned in Virginia in 2010: taking the extreme positions of the NRA leadership can have significant consequences for an election in a competitive district. More than \$3 million in independent expenditures by a Bloomberg-funded super PAC swung an election that then-Rep. Baca entered heavily favored to win.⁴⁰ Likewise, in an Illinois special election this February, Democratic candidate Robin Kelly defeated the front runner, former Rep. Debbie Halvorson (D-IL), with the support of a variety of groups urging tighter gun laws.⁴¹

8. Closing the intensity gap

For decades the conventional wisdom has been that although more Americans may support strengthening gun laws than weakening gun laws, gun-rights advocates hold their views more intensely. For gun-rights advocates, the thinking holds that the issue is often a basis for making a phone call to their elected representatives, contributing money to campaigns, or deciding who to vote for, while those on the other side are rarely so motivated. This description has perhaps been apt in the past, but there is substantial evidence that the intensity gap has closed.

A series of polls have measured the public's reaction to the recent background-check vote. A Fox News poll conducted days after the vote, for example, showed that three times as many Americans—68 percent—said that they were likely to support a candidate who voted for expanded background checks, as opposed to the 23 percent who said that they were likely to support a candidate who opposed expanded background checks.⁴² Polling on specific senators corroborates this picture:

- In the wake of the background-check vote in New Hampshire, Republican Sen. Kelly Ayotte's approval rating dropped 15 points below the level it was at last fall. Fifty percent of New Hampshire residents reported that Sen. Ayotte's background-check position made them less likely to support her, and only 23 percent said that her position earned her greater support.⁴³
- In Pennsylvania Sen. Toomey's approval rating rose to its highest levels ever after his leadership on the background-check amendment. His support among Democrats and independents is higher, and his support among Republicans is unchanged.⁴⁴
- Other opponents of background checks, such as Sens. Mark Begich (D-AK), Jeff Flake (R-AZ), Dean Heller (R-NV), Lisa Murkowski (R-AK), and Rob Portman (R-OH), have all seen declines in public support in the wake of the vote.⁴⁵

The polling suggests that the long-held conventional wisdom about the intensity of support on gun issues is no longer valid.

9. The numbers

The remarkable disjunction between the policies—or lack thereof—that we have in place to keep guns out of the hands of dangerous people and the scale of gun violence in the United States is evidence of the gun lobby's past success. But it is also evidence of its present vulnerability.

The scale of gun violence—not just mass shootings but the everyday gun massacres that occur across big cities and small towns all over the country—is not abating. It is a problem that is distinct to the United States. It is a problem that is incontrovertibly linked to weak laws that give criminals and other dangerous people easy access to guns. It is a problem that cries out for action.

The following numbers tell the tale:

- **33:** The average number of people murdered with a gun in the United States every day.⁴⁶
- **283:** The average number of people shot in the United States every day.⁴⁷
- **40:** The average number of children and teenagers shot in the United States every day.⁴⁸
- **10 times higher:** The accidental-firearms death rate among children in the United States compared to other high-income countries.⁴⁹
- **31,000:** The average number of homicides, suicides, and fatal accidents involving firearms in the United States every year.⁵⁰
- **6.9 times higher:** The homicide rate of the United States compared to 22 high-income countries.⁵¹
- **85 percent:** The percentage of attempted suicides with a gun in the United States that result in fatalities.⁵²
- **8 times higher:** The firearm suicide rate among children in the United States compared to other high-income countries.⁵³
- **500 percent:** The percentage that the risk of homicide increases when a gun is present in a domestic-violence situation.⁵⁴
- **57 percent:** The percentage of mass shootings that began with the targeting of a girlfriend, spouse, or former intimate partner.⁵⁵
- **63:** The number of U.S. law-enforcement officers killed with firearms in 2011.⁵⁶
- **6.6 million:** The estimated number of guns sold each year in the United States without a background check.⁵⁷
- **80 percent:** The percentage of convicted criminals who acquired the guns used in their crimes through a private transfer.⁵⁸
- **90 seconds:** The amount of time it takes to complete 91 percent of background checks.⁵⁹
- **38 percent lower:** The number of women killed with a firearm by an intimate partner in states that require background checks for all handgun sales, compared to states that do not require such background checks.⁶⁰
- **2.5 times higher:** The average export rate of crime guns in states that do not require background checks for all handgun sales at gun shows, compared to states that do require such background checks.⁶¹

Conclusion

The Senate vote on April 17, 2013, was only the first round in the newly invigorated movement to enact common-sense legislation to reduce gun violence in our country. And while a moderate bipartisan proposal to expand background checks failed to gain the 60 votes necessary to overcome a filibuster, a majority of senators voted in favor of this legislation, which has overwhelming public support in all corners of the country.

As President Obama said in his statement after the vote, “We can still bring about meaningful changes that reduce gun violence, so long as the American people don’t give up on it.”⁶² There are many reasons to be hopeful that with strong leadership in the White House, courageous lawmakers in Congress, well-organized and passionate grassroots advocates, and overwhelming public support, we will succeed in enacting measures to prevent gun violence and make all of our communities safer.

Arkadi Gerney is a Senior Fellow at the Center for American Progress. Chelsea Parsons is Associate Director for Crime and Firearms Policy at the Center.

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