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Argument

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The Process of Buying a Gun

Known primarily for his non-violent protests in India, Mahatma Gandhi once said, “I object to violence because when it appears to do good, the good is only temporary. The evil it does is permanent.” The issue of gun control in Gandhi’s mind is easily solvable: just remove the weapon that causes over 300,000 deaths each year, according to Kenneth Jost’s *CQ Researcher* article (1). Yet with our society’s fascination of violence coupled with a community of gun owners and enthusiasts who protect their right to bear arms as if it was their first-born child, the answer is never as simple as Gandhi’s Zen approach.

Still, the statistics paint a clear picture; our society suffers from excessive gun violence. According to a *Mother Jones* article penned by Mark Follman, the tragedy at Sandy Hook Elementary School that claimed 20 young victims is a small fraction of the death and destruction caused by guns. In 2012 alone, 151 innocent bystanders were killed as a byproduct of shooting rampages (2). This number has remained unacceptably high for decades. In addition, graphic music and violent television shows and movies plague every available media vehicle. A 1999 study done by the American Psychological Association shows that children exposed to violent media became “less sensitive to the pain and suffering of others, more fearful of the world around them and more likely to behave in aggressive or harmful ways towards others” (1). The study proves that excessive violence does not contribute positively to our society, despite violent media’s high ratings or lucrative nature.

Although violence may be popular on a national level, control is heavily segmented from state to state. Regulations for carrying and purchasing vary drastically in every state. For example, New York requires an extensive registration period, while Vermont requires residents be at least 16 as their only gun limitation. Holding periods, where individuals must wait up to three days to see if they qualify to purchase a gun, are also inconsistent across state lines. In some states, like Vermont, there is little regulation and only a drivers’ license is needed to buy a gun.

Guns are also remarkably easy to obtain. George Zornick, in his article “Walmart: America’s Number 1 Gun Source” published by *The Nation,* exposed Walmart’s excessively lax method of selling guns in several places, including South Bend, Indiana. According to the article, in Sound Bend, ammunition and guns, including assault weapons, are contained in unlocked cases, guarded and sold by untrained employees. South Bend boasts one of the most violent crime rate per capita in Indiana, showing a potential correlation between easy access to violent weapons and a high crime rate.

While Walmart offers one way for potential criminals to obtain guns, there are several other opportunities. Gun trade shows are exempt from any state or national regulations. Similarly, online gun sales are not regulated or subject to any type of background check. In the Virginia Tech shooting that killed 32 people and wounded 17, Seung-Hul Cho obtained some of his guns from online sources. The private sale of guns also falls into this same loophole. In early 2012 at the University of Pittsburgh Medical Center, a string of undocumented private sales enabled a gun registered in 1994 to a Texas sheriff’s deputy to end up in the hands of John F. Schick. Schick wounded seven and killed two, according to a CBS News article by Julia Dahl that outlines gun shootings in 2012.

Guns are often stolen from family members and friends, as well as from random individuals. In the Sandy Hook incident, the shooter Adam Lanza stole the offending weapons from his mother. Although Nancy Lanza was a registered gun owner, obviously her mentally ill son was not. Yet according to Follman, in mass shooting in the past twenty years, 80% of the guns used were obtained legally by the attackers. Therefore, the current regulations are do not prevent guns from falling into the wrong hands. Even with tighter regulation of existing legislation, other means must be taken to prevent the wrong people from obtaining guns.

Inconsistent national regulation of background checks, holding periods, and weapons available for sale make the gun selling industry an amorphous system that is easy to beat. According to data released by the FBI, the number of background checks performed for gun purchases nationwide jumped from 16,454,951 in 2011 to 19,592,303 in 2012 showing either an increase in diligence of gun dealers or an increase in gun owners. The FBI is dubious that their numbers are even accurate, since not all retailers perform background checks every time. In addition, background checks vary from state to state and only 20 states’ checks include a mental-health evaluation component (Follman 461).

The solution starts at the root of the problem. One saying goes, “It’s not guns that kill people. It’s people that kill people.” If that is the case, then why can just about anyone obtain a weapon? The gun enthusiasts will suggest that anyone deserves to own a gun; it’s their Second Amendment right. However both sides contest what the Second Amendment actually means. It is written as “a well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” Obviously militias are not as relevant today as they were in the days of the Founding Fathers, yet average citizens seem to automatically qualify for gun ownership to keep the states free. As the courts have proven over the years, there are several ways to interpret the Constitution. Gun owners may also contest that the Second Amendment gives them the right to own any type of gun, including assault weapons with high magazine clips. These extremely dangerous weapons technically meet the criteria of ‘arms,’ yet they seem excessive to protect citizens’ and their free state. In regards to the Second Amendment, victims of gun crimes and concern citizens want to limit the number of guns to trained professionals, like policemen. They trust in these individuals to protect their rights for them. A compromise of both positions will offer several benefits to both sides.

This compromise starts with stronger regulation to keep guns out of the hands of potential killers. Preventing these shooters relies on two ways of better regulating gun sales. The first way is to prevent unregulated guns sales, like at trade shows or in private sales. Secondly, gun sales need to better evaluate who is mentally competent, properly trained and inherently less dangerous to carry a weapon. Both of these sales goals point towards the importance of tracking and monitoring the sales of guns as imperative to a safer United States.

Many believe that registering the near 300 million guns in America is as an unachievable feat, but the daunting task cannot be the sole reason for policymakers to shy away from tracking guns in a national database. If the 246 million cars on the road can be registered, so can guns (Brown, 1). Requiring all gun-owning individuals to register every gun they own will make a safer environment for citizens and law enforcement. Registering all guns would also close out several loopholes, like the private sale of guns. In these instances, the new gun owners would have to register their new purchase within one month. Failure to do so should result in hefty fines, which encourages them to register. This will hold gun owners accountable and makes them easily traceable. This method of regulation has worked in Great Britain, according to a CNN article by Peter Wilkinson. In 1988 Britain introduced the Firearms Act after a school shooting that killed 16 elementary-aged children. Since the law’s enactment, gun offenses have continually dropped for two decades.

In addition to monitoring the location of guns, the government should also standardize national requirements and regulations regarding gun sales. A national database and gun application program will correct varying purchasing processes between states. All background checks should require a mental health component to assure that individuals are mentally capable and fit to own a gun. All mental health checks should be performed by a physician who will electronically deny or approve individuals’ mental capacity to own a gun. Individuals are able to get second opinions from doctors if he or she believes that the first doctor was wrong. This system will only give a “yes or no” response from doctors to protect individuals’ mental health history. Similarly to the annual exam for physical health that is required to play sports, the mental health checks will involved trained professionals in evaluating the capability of individuals. This process will also add to the time it will take to own a gun, making sure guns are not purchased for rash decisions based on emotions. People who purchase guns may object on the grounds that mental health is a complex topic and accessibility to an individual’s medical history should be private. However, a report conducted by Quinnipiac University in April of 2013 showed a large support for more background checks. Of the 1,500 survey respondents nationwide, 83% believed that background checks were necessary and 71% were either dissatisfied or angry that the Senate rejected a proposal for gun control that included mental health evaluation. Several other national polls by ABC News, The Washington Post and the Wall Street Journal concurred with these statistics, showing public support for a stronger background checking system.

The background system will have access to the doctor’s approval form, as well as the purchaser’s criminal history and past purchases. Additionally, the retailer will act as the last line of defense. If the individual is acting erratically and the seller deems him unsafe to own a gun at this time, he or she will be able to tag the purchaser’s account as ‘unfit.’ This will make it impossible for the purchaser to buy from another seller for a holding period of three days. In order to evaluate potential gun purchasers, retailers can access online lists of potential warning signs similar to the way bouncers can access ways to determine if an ID is fake through training, printed books or online sources. This information can be provide through the Bureau of Alcohol, Tobacco, Firearms and Explosives website. In total, the new system will be a much better screening method. Doctors who are educated on how to determine mental wellness can screen out individuals that are disturbed and as a last line of defense, the retailer will be able to make a decision.

Registering all guns may be a difficult task at first. There will need to be both online and paper applications that can be mailed to all known gun users. To further publicize to those who may not be a legal gun owner or those who bought guns at a gun show, the gun registration division should also run public service announcements about the new process in a variety of mediums, including print and radio. To encourage users to register their guns, large fines should be imposed on anyone who does not register their gun by a certain date. To those who register on time, there will only be a small fee to defray the costs of processing. In the beginning, additional staff will be needed to process all paperwork and assist gun owners with any questions. Eventually, the process will become much more streamlined. This initiative may be expensive at first, but will eventually break even on costs and create a safer America.

The final component of the plan is to make safe storage of guns a necessity for all owners. As previously mentioned, there have been cases where stolen guns have been used in violent attacks. To prevent this, homeowners insurance should require all guns have a storage unit that can be securely locked. Currently several insurance companies require homes with pools to fence in the pools to prevent accidents. This solution does not address people who rent homes, but it could decrease the easily preventable problem of stolen guns.

Gun control is a contentious issue backed by strong emotional and ethical appeals for either side. Regardless of the solution, both sides must be willing to make concessions. In the proposed option, both sides will win some aspect of the gun debate. Although gun-owners will have to take the time to register their guns and perform lengthier background checks, they will still be able to obtain the guns that they want, protecting their Second Amendment right to bear arms. Advocates of stronger regulation may be disappointed that all guns will still be available for purchase, yet the more stringent regulation will keep guns out of the hands of unqualified people. Overall, a compromise offers the best way to keep America safe.

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