



## Preventing Gun Violence

Every day, gun violence takes the lives of more than one hundred people in America, disproportionately people from Black and Latino communities.<sup>1</sup> Black men make up just six percent of the population, but account for 51 percent of homicide victims.<sup>2</sup> This is not acceptable. Nor is this normal—the United States is the only country in the developed world where this kind of gun violence happens routinely.<sup>3</sup>

Over and over, politicians in Washington condemn the loss of life and offer their condolences. They talk about change, but it remains easier to buy weapons of war than a bottle of beer. In addition to the senseless pain and loss of life, we've traumatized an entire generation and are set to traumatize yet another. A 14-year-old writes out a will in case she doesn't make it home from ninth grade. A middle school boy takes the long route to the park so he doesn't have to worry about stray bullets. A car backfiring causes panic at a parade.

It's time to stop accepting the unacceptable and start accepting our responsibility to change it. To address this urgent public health crisis and secure our communities, the politics of cut-and-paste condemnation and inaction must give way to a new and different approach. Pete is proposing a plan that speaks clearly about the problems we face, and puts forth bold solutions that will meet those challenges.

### Create standards for responsible gun ownership

**Expand background checks to apply to all gun sales, including sales from unlicensed sellers at gun shows or online.** For too long, we've let dangerous people buy guns without undergoing a background check—with deadly results. We need to make sure anyone who owns or carries a gun is responsible and does not pose a threat to themselves or others. We need background checks everywhere guns are purchased—including on transactions conducted over the internet and at gun shows. Pete supports federal legislation that requires background checks on all gun sales and other transfers, with reasonable exceptions for immediate family, law enforcement, and emergency self-defense.

**Establish a nationwide permit-to-purchase licensing system to be implemented at the state level.** If you need a license to drive a car, you should be required to have a license to buy a gun. Permit-to-purchase standards require an applicant to pass a background check before obtaining their permit, and they often require an in-person application at a law enforcement agency. By implementing a comprehensive system of gun licensing, we will reduce illegal gun trafficking and lower gun suicides and homicides.<sup>4</sup> Additionally, Pete supports expanding the permit-to-purchase program to **include ammunition sales**—including online ammunition sales—to ensure both firearms and ammunition are subject to a background check.

<sup>1</sup> Gramlich, John. "[What the Data Says about Gun Deaths in the U.S.](#)" Pew Research Center. August 16, 2019.

<sup>2</sup> "[Urban Gun Violence.](#)" Giffords Law Center to Prevent Gun Violence.

<sup>3</sup> Lopez, German. "[America's Gun Problem, Explained.](#)" Vox. August 31, 2019.

<sup>4</sup> Amnesty International. "[In the Line of Fire: Human Rights and the US Gun Violence Crisis.](#)" Amnesty USA. 2018.



**Close the “Charleston loophole,” also known as the “default proceed” provision, which allows gun sales to proceed by default after three business days even if a background check is not yet complete.** Current law gives the FBI just three days to complete a gun purchase background check.<sup>5</sup> While 90 percent of background checks are completed within two minutes, the remaining 10 percent require further investigation and review by FBI and ATF agents. Once the three-day window elapses, gun sales are authorized at the discretion of the seller. We must close this loophole to ensure that law enforcement officials have time to complete their work before a gun sale may proceed and ensure no one is able to take possession of a gun without passing a background check. In the past, the FBI has supported closing this default proceed loophole.

In 2015, it was this loophole that allowed a shooter to purchase the gun he used to shoot and kill nine worshippers at the Emanuel AME Church in Charleston, South Carolina. Although the gunman should have failed a background check because of his history of unlawful controlled substance use, his background check was not completed within the three-day window, leaving the sale to the judgment of the seller. The firearm was used to kill nine innocent people two months later.

**Require law enforcement to be notified when guns are lost or stolen.** Hundreds of thousands of guns go missing every year, and they may enter the illegal market and allow those legally prohibited from buying or possessing a gun to get their hands on one.<sup>6</sup> But there is no federal requirement that firearm owners notify law enforcement officials when their gun is missing. Pete supports a federal law closing this gap.

**Promote safe storage practices to disrupt access to firearms.** The combination of suicidal ideation and access to firearms is lethal. Further, every year, hundreds of children gain access to an unsecured firearm and discharge it, often unintentionally hurting or killing themselves or someone else. Research shows that responsible firearm storage can mitigate the risk of unintentional shootings, primarily those by children, suicide, and theft.<sup>7</sup> As President, Pete will lead the effort to encourage all gun owners to be responsible and store their guns locked, unloaded, and with the ammunition stored separately from the firearm.

### **Disarm hate, abuse, and terror**

Women in the United States are 21 times more likely to be killed with guns than women in other high-income countries.<sup>8</sup> Every year, at least 600 women in the U.S. are shot and killed by an intimate partner.<sup>9</sup> About half of these shooters had dated but not married their victims. The FBI’s annual report showed that hate crime violence reached a 16-year high in 2018.<sup>10</sup> In an average year, over 10,000 annual hate crimes involve a firearm.<sup>11</sup> White supremacy is on the rise, and with it comes more violent attacks by white supremacists with weapons of war.<sup>12</sup> We must do something to change this reality.

<sup>5</sup> “[About NICS.](#)” FBI.

<sup>6</sup> Brian Freskos, “[Missing Pieces: Gun Theft from Legal Gun Owners is on the Rise, Quietly Fueling Violent Crime.](#)” The Trace, November 20, 2017.

<sup>7</sup> “[Disrupting Access: Addressing Firearm Suicide in the U.S.](#)” Everytown for Gun Safety. September 10, 2018.

<sup>8</sup> “[Gun Violence in America.](#)” Everytown for Gun Safety. April 4, 2019.

<sup>9</sup> “[Gun Violence Statistics.](#)” Giffords Law Center to Prevent Gun Violence.

<sup>10</sup> Hassan, Adeel. “[Hate-Crime Violence Hits 16-Year High, F.B.I. Reports.](#)” The New York Times. November 12, 2019.

<sup>11</sup> “[Disarm Hate: the Deadly Intersection of Guns and Hate Crimes.](#)” Everytown for Gun Safety. May 13, 2019.

<sup>12</sup> Cai, Weiye and Simone Landon, “[Attacks by White Extremists Are Growing. So Are Their Connections.](#)” The New York Times. April 3, 2019.

**Close the “boyfriend loophole” in federal law to help prevent domestic abuse, including within the LGBTQ community.** Federal law prohibits anyone convicted of a misdemeanor domestic violence crime from buying a firearm.<sup>13</sup> The law as currently written, however, only protects those who are married to, live with or have lived with, or have children with their abuser. This limitation means the law does not generally apply to abusive partners, former partners, and some stalkers, even if they have been convicted of abuse or are subject to a restraining order. This gap lets far too many dangerous people with a history of abuse slip through the cracks and buy a weapon. Pete also supports federal legislation requiring that state or local law enforcement be notified whenever anyone, including a domestic abuser or convicted stalker, tries to buy a gun and fails a required background check.

**Require domestic abusers to turn over any firearms they already own.** When a gun is present in a domestic violence situation, an abuser is five times more likely to kill their victim.<sup>14</sup> That’s why Pete supports a federal law mandating that anyone subject to an order of protection for domestic violence must surrender any guns in their possession to a trusted local law enforcement agency or judge, to be stored securely and returned when the order of protection is lifted. That policy would also extend to abusers under final domestic violence restraining orders and domestic abusers convicted of a misdemeanor domestic violence crime.

**Close the hate loophole, a dangerous gap that allows some people convicted of hate crimes to legally buy and possess guns.** We know that hate and bigotry have motivated some of the deadliest mass shootings in our nation’s history, but hate crimes also drive daily gun deaths nationwide. It is no surprise that hate crimes have a devastating impact on victims and reverberating effects experienced by entire communities. Pete supports the Disarm Hate Act, which would prohibit people convicted of a hate crime involving the use or threatened use of violence or a deadly weapon from acquiring or possessing firearms.

### Research gun violence

**Restore critical funding for gun violence research.** For over two decades, Congress has effectively cut funding from the Centers for Disease Control and Prevention (CDC) and National Institutes of Health (NIH) for studying gun violence.<sup>15</sup> We must treat gun violence like the public health crisis it is by researching it as one. Pete supports immediately resuming funding—at least \$50 million annually—for research on the causes of gun violence and its consequences for public health.

### Combat the gun lobby

**Repeal PLCAA to stop shielding the gun industry from liability for negligent practices that lead to gun violence.** The Protection of Lawful Commerce in Arms Act (PLCAA) shields the gun industry from civil liability for business practices that directly threaten public safety. It is a unique set of protections for

<sup>13</sup> “[Domestic Violence & Firearms](#).” Giffords Law Center to Prevent Gun Violence.

<sup>14</sup> Campbell, J.C., D.W. Webster, J. Koziol-McLain, et al., “Risk factors for femicide within physically abusive intimate relationships: results from a multi-site case control study,” 93 Amer. J. of Public Health 1089-1097 (2003).

<sup>15</sup> Yeager, Ashley. “[Cuts to Prevention and Public Health Fund Puts CDC Programs at Risk](#).” The Scientist. February 9, 2018.

the gun industry, largely barring the courtroom door to lawsuits against negligent or corrupt dealers and removing any cost for failing to make guns safer or for marketing weapons that have no place in the hands of civilians. Civil liability, which is used as a critical check for nearly every American industry and product, must also extend to the gun industry. PLCAA must be repealed, and the gun industry must be accountable for its practices—just like any other industry.

### **Regulate weapons of war and new technologies**

In 1994, Congress adopted the Violent Crime Control and Law Enforcement Act, which made it illegal to manufacture, transfer, or possess a semi-automatic assault weapon. The federal ban also prohibited the transfer and possession of any new large capacity ammunition magazine, defined as a magazine capable of holding more than 10 rounds of ammunition. The law was adopted with a sunset clause, however, and expired in 2004—thus, these weapons and magazines of war are currently legal unless banned by state or local law.

**Ban the sale of assault weapons and high-capacity magazines.** In the two decades since Columbine, America has barely changed its national gun laws, besides letting an assault weapons ban expire. As a veteran, Pete knows that military-grade weapons have no place being sold to civilians. The same is true for high-capacity magazines, some of which can hold up to 100 rounds of ammunition and significantly increase a shooter’s ability to injure and kill large numbers of people quickly, without needing to reload. We’ve already decided that certain weaponry—like tanks and rockets—are unacceptable in civilian hands. Congress should similarly reinstitute a ban on selling federal assault weapons and magazines that hold more than 10 rounds of ammunition.

**Prohibit ghost guns and at-home 3D firearms printing.** New technology makes it easier than ever for people to make their own guns at home and bypass the background check system entirely. The self-assembly of firearms, through kits or 3D printing, also skirts the traditional manufacturing process that labels guns with a serial number and markings for identification, thereby making the firearms untraceable by law enforcement. Federal law must follow the lead of states like California and New Jersey, which enacted legislation that requires that 3D-printed or self-assembled firearms, unfinished frames, and receivers carry a serial number. And, in New Jersey, legislation goes further by prohibiting 3D printing of guns by individuals without a license authorizing them to manufacture guns.

### **Address the link between guns and suicide**

Firearm suicide tragically claims the lives of nearly 22,000 Americans every year—it makes up the majority of both gun deaths and suicides in the U.S.<sup>16</sup> Among commonly used methods of self-harm, firearms are by far the most lethal, with a fatality rate of approximately 85 percent.<sup>17</sup> And access to

<sup>16</sup> [“Firearm Suicide in the United States.”](#) Everytown for Gun Safety. August 30, 2019; [“Gun Violence Statistics.”](#) Giffords Law Center to Prevent Gun Violence.

<sup>17</sup> [“Disrupting Access: Addressing Firearm Suicide in the U.S.”](#) Everytown for Gun Safety. September 10, 2018.



firearms increases the risk of suicide by three times.<sup>18</sup> As suicide rates have increased in recent years, we also see specific communities particularly at risk, including veterans.

**Enact federal Extreme Risk laws, sometimes referred to as “Red Flag” laws, to empower people to intervene and temporarily prevent someone in crisis from accessing firearms.** When someone is in crisis, loved ones, classmates, and educators are often the first to know. Extreme Risk laws allow a judge to work with local law enforcement to temporarily remove legally-owned guns from a dangerous situation if the judge determines, through a court proceeding that ensures due process protection, that someone is an immediate threat to themselves or others. The judge then works with local partners to get that person the help they need, and ultimately return the firearms once the threat has subsided. This model has proven successful in states across the country, and it’s time we made it the national standard.<sup>19</sup>

**Support common sense and responsible gun safety for veterans.** Between 2005 and 2017, over 53,000 military veterans died by suicide as a result of guns.<sup>20</sup> This is over 13 times the number of service members killed in action in Iraq and Afghanistan combined.<sup>21</sup> Self-inflicted death by firearms is the most common method for veterans.<sup>22</sup> In Pete’s administration, the Department of Veteran Affairs will adopt a comprehensive strategy for gun safety as part of a public health approach to mitigating suicide.

### Support efforts to keep guns out of schools

**Support efforts to keep guns off college or university campuses and educate college communities about intervention.** Increasingly, state lawmakers are enacting legislation allowing guns on college campuses, which creates new dangers for students and educators. This is an especially toxic mix due to the elevated risk factors common to campus life and college-aged people including alcohol abuse, violence, and suicide attempts. College communities should be familiar with extreme risk laws as a way to intervene before warning signs escalate into tragedies. Pete will also support organizing efforts by students, police chiefs, and college presidents—who overwhelmingly oppose legislation that forces colleges and universities to allow guns on campus.<sup>23</sup>

**Incentivize states and districts to prioritize school climate through a new School Climate Innovation Fund.** Creating safe and secure schools requires investing in positive, trusting relationships within the school community. The vast majority of school shooters are not strangers to their targeted schools.<sup>24</sup> Pete knows that we cannot solve school violence only by trying to keep the bad guys out. That’s why he will reward schools that intentionally focus on creating positive conditions for teaching and learning. Modeled after the Education Innovation Research Fund, Pete will initiate a five-year grant to provide funding for states and districts to develop, test, and scale school climate solutions, including for reducing discipline disparities for students of color and students with disabilities, and addressing mental and physical health needs, including trauma.

<sup>18</sup> Ibid.

<sup>19</sup> Kaste, Martin. “[Gun Studies: Permit Laws Reduce Murders; Red Flag Laws Cut Suicides.](#)” NPR. June 4, 2018.

<sup>20</sup> “[Fact Sheet: Those Who Serve: Addressing Firearm Suicide Among Veterans.](#)” Everytown for Gun Safety. 2019.

<sup>21</sup> Ibid.

<sup>22</sup> “[Veterans and America’s Gun Suicide Crisis.](#)” Giffords Law Center to Prevent Gun Violence. October 2018.

<sup>23</sup> “[Guns on Campus.](#)” Everytown for Gun Safety. April 29, 2019.

<sup>24</sup> Jonson, Cheryl Lero. “[Preventing School Shootings: The Effectiveness of Safety Measures.](#)” *Victims & Offenders* 12, no. 6 (October 24, 2017): 956–73.