

PUTTING AMERICA IN THE SPOTLIGHT

An International Study of Gun Regulation Policy:
Putting America in the Spotlight

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I - Introduction

The United States, like many countries, faces ample controversies on a daily basis. Exacerbated by the omnipresence of the media and the impressionability of the people, the country's citizens and leaders have become increasingly partisan and polar. One issue fueling this divide is the question of gun control. With strong gun rights supporters advocating for their Second Amendment rights and opposers lobbying for more restrictions on gun possession, the potential for reform is left in a state of purgatory. This study will conduct a review of the literature on the topic, an analysis of existing international gun laws, and a survey designed to understand gun attitudes. The goal of these methods is to answer the following questions: *Is there a gun problem in the United States and, if so, what factors are driving its creation? How can the United States implement tangible and effective gun restriction policies to address the current gun violence problem and how can the government implement laws to do so while respecting the rights granted by the Second Amendment of the Constitution to lawful gun owners?*

Significance of Study

This research will contribute a unique, thorough study of gun laws on an international level to the existing literature. By collecting information about other developed countries and comparing and contrasting them to U.S. policies, this study will provide evidence that the gun problem does, in fact, exist and is significant. It will also attempt to provide an objective answer to gun-related questions. The issue at hand is often debated in a socio-political setting; however, this study will take a legal approach in its analysis in order to grow the social, political, and cultural understanding of what gun control means for the United States. This research will connect directly to the study of sociology, politics, criminology, jurisprudence, and even psychology. It will be of practical significance to the country's law makers, lobbyists, and policy makers. It could be used as a resource by the government in their consideration of potential solutions to the gun problem and could even be used by future presidential candidates using gun control as a platform for election. Because this study will sort through and decide on the most effective gun control policies, governments of all countries may be able to turn to it as a resource to understand other countries' laws as well. However, because the study is constructed specifically for the United States, it is crucial to understand the current gun-related issues that the country is facing.

The Scope of the Gun Problem

The United States gun problem is highly contentious, with gun rights advocates often denying its existence and gun regulation advocates exaggerating its impact. As such, it is important to understand the actual scope of the problem. Firstly, in comparison to 20 of the most developed countries worldwide, the United States is the only country that guarantees a right to own firearms, other than Switzerland (University of Sydney). It is the only country where persons do not need to hold a gun license in order to own them and allows all "non-prohibited persons of minimum age" the right to gun possession (University of Sydney). The only federal restrictions on gun ownership relate to criminal history, which can be verified by gun sellers through the National Instant Criminal Background Check, a system that has been shown to exhibit clerical errors resulting in a failure to identify known criminals (Del Real, et al., 2017). Private gun dealers are not even subject to this requirement, which means there are literally no regulations on who can purchase firearms, as long as this method is used (Hanbury & Taylor, 2018). As a result of the legal environment of guns in the United States, it is the developed country with the highest

incidence of gun deaths per capita, and even exceeds these countries in terms of legal intervention gun deaths, accidental gun deaths, and gun suicides (University of Sydney).

While some may claim that this is simply a correlation and does not imply causation, there has been much literature showing that access to guns has led to a “violent crime problem” in the United States (Jacobs, 2002, p.10). While there are “many factors” that play a role in the country’s “predilection for violence,” easy access to guns has been said to be a major one at play (Jacobs, 2002, p.11). Statistics show that “on average, seven children are killed by guns in the United States each day” (Younge, 2016, p.2). A 2018 report even revealed that “America has 4.4 percent of the world’s population, but almost half of the [world’s] civilian-owned guns,” showing the disproportionate gun ownership exhibited in the United States compared to the rest of the world (Lopez, 2018). It has also be found that, on any average day in the U.S., “about 300 Americans are shot and 100 die from gunshot wounds” in crimes ranging from murders to suicide attempts and accidents (Hemenway, 2017). The National Center for Injury Prevention and Control of the Center for Disease Control hold statistics from 2018 that show that “more civilians in the United States have been killed with guns than American soldiers have died in all U.S. wars since the nation was founded in 1776” (Hemenway, 2017). However, government officials have refrained from enacting policies at a federal level to restrict access to guns in an attempt to address the issue (Hemenway, 2017). The problem has worsened in the past 10 years as access to guns has become easier—“during the past decade, gun suicides increased by 30%; gun murders increased by more than 18% from 2014 to 2015; and 2015 saw 2,600 more gun deaths than 2014” (Hemenway, 2017; Centers for Disease Control and Prevention, 2018).

The Second Amendment

Despite the statistics confirming the existence of the problem, finding an adequate solution is a complex task and with many factors acting as underlying forces driving the debate. The first and most powerful factor in this discussion is the U.S. Constitution. The United States is driven by the Constitution, the ‘supreme law of the land,’ which is a document written by 55 white male Constitutional Convention delegates—25 out of 55 of whom were slave owners, most of whom were property owners, and most of whom were “comfortably wealthy”—that was released on September 17th, 1787 (Beeman, 2010, p.66-67; History.com, 2010). The document created large debate among the states, mainly between Federalists, who supported it, and Anti-Federalists, who opposed it (The White House). On March 9, 1789, the ninth state out of thirteen ratified it, and it was declared as “the date to be operating under the Constitution” (The White House). When popular dissatisfaction with the Constitution was expressed after its ratification, it was brought to light that the document was missing important rights. As a result, the Bill of Rights was created, derived from the Magna Carta, the “colonial struggle against king and Parliament,” and a “broadening concept of equality” among Americans (Encyclopaedia Britannica, 2019). Consisting of 10 amendments to the constitution, the Bill of Rights grants U.S. citizens certain rights with “binding legal force” that Congress may not interfere with (Encyclopaedia Britannica, 2019). Any Acts of Congress that do so can be “voided by the U.S. Supreme Court” in order to protect the rights of citizens (The White House). There are now twenty-seven amendments to the Constitution that have been ratified since the original creation of the document (Thomson Reuters). Since all the amendments are now written into the Constitution, they are subject to the same interpretations as the original words—words whose controversy leads to the discussion of another important issue. There are multiple ways to interpret the words

of the Constitution, and these differences has caused large debate among both citizens and scholars in understanding the role of the Constitution and how best to enforce and respect it.

The first interpretation is called “originalism,” an ideology that considers the Constitution through the original way that the Framers intended it (Mount, 2001). People who interpret the Constitution under “originalism” believe that the “original intent” is the “most pure way of interpreting the Constitution” and that the documentation of the Framers’ opinions is the most reliable basis on which modern interpretations should be derived (Mount, 2001). This view is most opposed by the “modernist” perspective, which claims that the Constitution should be read “as if it were ratified today,” considering the meaning that it would have in today’s social context, which is evidently drastically different from the social context of the late 1700s. (Mount, 2001). The main argument of this point of view is that there have been over two hundred years of history and legal precedent between today and when the Constitution was originally written, and that “we are modern individuals” who would have “difficulty in reasonably thinking like 18th century men” (Mount, 2001). As such, this view claims that it is unrealistic to try to interpret the document through the lens of the Framers because of how detached we are from their time, and that it makes more sense to understand society and the culture of the present in its interpretation.

A third perspective that is similar to “originalism” is the “historical literalist” point of view, which considers the literal meaning of the words of the document to be the only basis on which the Constitution should be interpreted (Mount, 2001). This group has “no interest in expanding beyond the text for answers,” claiming that anything other than the document is irrelevant to its interpretation” and looks to the historical definitions of the words in interpreting it (Mount, 2001). A similar view lies in the “contemporary literalist” perspective, which has “no interest in the historical meaning of the words,” but rather considers the modern definitions of the words as they are written (Mount, 2001). This group interprets the Constitution by looking at the definitions of the words as they are defined today, “ignoring precedent and legal dissertation” in seeking answers (Mount, 2001). The final view is called “normative reinforcement,” which states that the vagueness of the language used shows that the Constitution only provides a general skeleton “on which contemporary vision would be built on” (Mount, 2001). This view calls for constant growth of the document’s rights, building upon the original framework by implementing modern ideologies.

Since there are so many differing opinions on how to read the Constitution, there is large debate over how to interpret the words and put them into law. One amendment that has been the source of large contention, and that is most relevant to the topic at hand, is the Second Amendment. During colonial times, Americans thought of the right to bear arms as “necessary for fulfilling their natural right to defend themselves and their property”—rights that were made explicit through the Second Amendment of the Bill of Rights” (Garett, 2019). The Second Amendment states, “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.”¹ This is a major source of controversy at the heart of the American gun access question today because the amendment is written with vague language, which has sparked intense debate over its reach and strength.

¹ U.S. Const. amend. II

There are two primary theories driving the legal debate regarding the Second Amendment. The first is the “individual right theory,” which holds that the amendment creates an “individual constitutional right for citizens of the United States” (Legal Information Institute). The other theory points to the “prefatory language, ‘a well-regulate militia,’” in claiming that the original drafters “intended only to restrict Congress from legislating away a state’s right to self-defense” (Legal Information Institute). This theory has been named the “collective rights theory” and it argues that the amendment does not grant an individual the right to carry arms but rather that it protects a state’s right to defend itself with arms (Legal Information Institute). Coupled with the five primary methods of interpretation, the question of what the amendment means for individual gun ownership laws becomes difficult to address; however, there is no doubt that American citizens value their gun ownership rights, and these rights must be granted safely in order to appease the desires of the masses and respect the American gun culture.

In an attempt to remedy the problem that arises from the difficulty in interpreting the Second Amendment, this paper will take an objective standpoint on how best to address the U.S. gun problem while respecting the rights granted by the Second Amendment of the Constitution and balancing public health and safety interests.

II - Review of the Literature

The literature on the subject of control in the United States is significant and important to consider. Each study is limited by the authors’ biases as well as the nature and credibility of the publication. Previous studies and academic writings about U.S. gun policy are also extremely inconsistent, with gun rights advocates and gun control advocates taking partisan approaches to the writing. However, all perspectives are important to consider regardless of the caveats associated with each paper.

Legal Precedent

In order to take a legal approach that considers sociological, economic, and other factors in the gun control debate, a legal review is a necessary place to start. The first law addressing gun ownership was passed in the Bill of Rights in 1791 when, as previously explained, a set of ten amendments of the constitution were ratified. The Second Amendment was among them, and it read, “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.”² This law was the sole law related to gun ownership for the following 150 years, until the first gun restriction law was passed. The National Firearms Act of 1934 (NFA),³ introduced by President Roosevelt, imposed a “tax on the making and transfer of firearms,” a “special occupational tax on persons and entities engaged in the business of importing, manufacturing, and dealing in NFA firearms,” and required all NFA firearms to be registered through the Secretary of the Treasury”⁴ (U.S. Department of Justice). As defined by the act, firearms included “shotguns and rifles having barrels less than 18 inches in length,” machine guns, firearm mufflers and silencers, and “certain [other] firearms.”⁵ The main goal of the implementation of this act was to “curtail, if not prohibit, transactions in NFA

² U.S. Const. amend. II

³ I.R.C. ch. 53 § 5801 et seq

⁴ *Id.*

⁵ *Id.*

firearms” in order to reduce the “significant crime problem” resulting from frequent gun use in crimes such as that of the St. Valentine’s Day Massacre, a gang-related mass murder that occurred in Chicago (U.S. Department of Justice). Requiring a \$200 tax was intended to discourage transactions related to these firearms, and the requirement to register firearms with the Secretary of the Treasury was meant to supply State authorities with information to prosecute people “whose possession violated State laws” (U.S. Department of Justice).

The next gun control law passed was the Federal Firearms Act of 1938 (FFA),⁶ which “required gun manufacturers, importers, and dealers to obtain a federal firearms license” (Gray, 2019). Further, it defined a set of people who were not allowed to purchase guns as well as “mandated that gun sellers keep customer records” (Gray, 2019). This was done to ensure that “prohibited persons,” including convicted felons, were not able to purchase guns. Only a year later, in 1939, the Supreme Court heard *United States v. Miller*,⁷ a case that questioned the constitutionality of regulating the interstate sale of short barrel shotguns as defined by the NFA. The origins of this case lie in the story of Jack Miller and Frank Layton, two bank robbers that were caught with an unregistered sawed-off shotgun brought across state lines from Oklahoma to Arkansas.⁸ The pair was arrested on the grounds that they were in violation of the NFA.⁹ However, the district court dismissed the indictment, agreeing with Miller and Layton’s claim that the NFA section that requires the registration of certain types of firearms, including short-barreled rifles and shotguns, for interstate transport and commerce, violates the Second Amendment.¹⁰ Upon appeal to the Supreme Court of the United States, the court ruled that Congress could, in fact, implement the regulation for this type of firearm, considering that there is “no evidence that a sawed off shotgun ‘has some reasonable relationship to the preservation or efficiency of a well regulated militia’”¹¹ (Gray, 2019). As such, there was no evidence that the Second Amendment protects the ability of citizens to own that specific type of gun.

Over the next 30 years, no federal laws or Supreme Court decisions were passed in relation to gun control. However, in 1968, the Supreme Court heard *Haynes vs. U.S.*¹² regarding the constitutionality of sections 5851 and 5841 of the NFA. In this case, Miles Edward Haynes was charged with failing to register a firearm under the NFA. However, since he was a convicted felon at the time, Haynes argued that requiring him to register was equivalent to requiring him to openly admit to the government that he was in violation of the law, and that this was a violation of his Fifth Amendment right not to incriminate himself. Eventually, the case reached the Supreme Court and the Court held that “a person prosecuted for possessing an unregistered NFA firearm had a valid defense” against the registration requirement—that it violated the “possessor’s privilege from self-incrimination under the Fifth Amendment.” As a result, the Supreme Court rendered the NFA “virtually unenforceable,” since its main purpose was to implement a firearm registration system (U.S. Department of Justice).

⁶ 15 U.S. Code § 901 to 910 (repealed).

⁷ *United States v. Miller*, 307 U.S. 174 (1939)

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Haynes v. U.S.* 390 U.S. 85 (1968)

Additionally, in 1968, following the assassinations of President Kennedy, Attorney General Robert F. Kennedy, and Dr. Martin Luther King, President Johnson “pushed for the passage of the Gun Control Act of 1968 (GCA).”¹³ This act “repealed and replaced the FFA, and sought to update Title II of the NFA to fix” the constitutional issues that arose in the Supreme Court case, “add language about ‘destructive devices’ . . . , and expand the definition of ‘machine gun’” (Gray, 2019). In essence, this bill prohibited the importation of guns that do not have some sporting purpose, “imposed age restrictions for the purchase of handguns” to 21, prohibited certain groups from purchasing guns—including felons, the mentally ill, and others—“required that all manufactured or imported guns have a serial number,” and imposed more stringent regulations on the entire firearms industry” (Gray, 2019).

However, in 1986, the Firearm Owners Protection Act was passed by Congress, and it intended to protect gun owners.¹⁴ The act prohibited a “national registry of dealer records,” limited “ATF [Bureau of Alcohol, Tobacco, Firearms and Explosives] inspections to once per year,” softened the definition of engaging in the firearms business, and allowed “licensed dealers to sell firearms at gun shows in their state” (Gray, 2019). Further, it rendered regulations on the sale of ammunition less stringent. However, it also “codified some gun control measures”—for example, it expanded the GCA to “prohibit civilian ownership or transfer of machine guns” made after 1986, and redefined “silencer” to account for “parts intended to make silencers” (Gray, 2019). Adding to this regulation, in 1988, the Undetectable Firearms Act was passed, which criminalizes the “manufacture, importation, sale, shipment, delivery, possession, transfer, or receipt of firearms with less than 3.7 oz of metal content,” or that otherwise cannot be detected by metal detectors.”¹⁵ A mere two years later, in 1990, the Gun-Free School Zones Act was passed, which effectively prohibited the possession of a firearm in a place that the possessor knows, or can be reasonably expected to know, is a school zone.¹⁶

In 1993, President Clinton passed the Brady Handgun Violence Prevention Act.¹⁷ It was named after White House press secretary James Brady, who was injured during the attempted assassination of President Reagan, leaving him permanently disabled. The law amends the GCA and “requires that background checks be completed before a gun is purchased from a licensed dealer, manufacturer or importer” (Gray, 2019). It also established the FBI-maintained National Instant Criminal Background Check System (NICS) (Gray, 2019). Only a year later, President Clinton further pushed for gun control by signing the Violent Crime Control and Law Enforcement Act,¹⁸ including a subsection that temporarily prohibited assault weapons from September of 1994 to September of 2004 (Gray 2019). There have been “multiple attempts to renew the ban,” but they have all failed (Gray, 2019). This bill temporarily outlawed the ability to make or own a semiautomatic assault weapon, unless it had been “lawfully possessed under Federal law on the date of the enactment” of the subsection¹⁹ (Gray, 2019). Further, it “banned ‘certain high-capacity ammunition magazines of more than ten rounds’”²⁰ (Gray, 2019). In 2003,

¹³ 18 U.S.C. ch. 44 § 921

¹⁴ 18 U.S.C. ch. 44 § 921 et seq. 18 U.S.C. ch. 40 § 845; I.R.C. ch. 53, subch. A § 5801

¹⁵ 18 U.S.C. ch. 44 § 921 et seq. 49 U.S.C. ch. 449, subch. I § 44901

¹⁶ 18 U.S.C. ch. 44 § 921 et seq. 18 U.S.C. § 922 et seq.

¹⁷ 18 U.S.C. ch. 44 § 922 et seq.

¹⁸ 42 U.S.C. ch. 136

¹⁹ *Id.*

²⁰ *Id.*

the Tiahrt Amendment was passed, which prohibits the ATF from “publicly releasing data showing where criminals purchased their firearms and stipulated that only law enforcement officers or prosecutors could access such information”²¹ (Gray, 2019). The impact of this amendment was that it “shielded retailers from lawsuits, academic study and public scrutiny” (Gray, 2019).

In 2004, the Law Enforcement Officers Safety Act was passed, which granted current and former law enforcement officials the right to carry a concealed firearm in any jurisdiction in the country, regardless of state or local laws.²² The final federal gun control law was signed in 2005 by President Bush. This law, titled the Protection of Lawful Commerce in Arms Act,²³ intended to “prevent gun manufacturers from being named in federal or state civil suits” by victims of crimes that involved the use of guns made by that company (Gray, 2019).

Gun Control Overview

Generally, there are “four types of policies regarding the carry of concealed weapons...in public” (Lee & Shi, 2017, p.236). Some states do not require a permit to carry a concealed weapon, which is called an “unrestricted” policy (Lee & Shi, 2017, p.236). Some states, on the other hand, do require these permits, but will “issue the permit if the applicant meets certain requirements specified in law” (Lee & Shi, 2017, p.236). This is called a “shall-issue” policy (Lee & Shi, 2017, p.236). A “may-issue” state is classified as such if the “local authority has discretion over whether the permit will be issued,” and in these states, “the applicant [is often] required to demonstrate a need to carry a concealed weapon” (Lee & Shi, 2017, p.236). States have “no-issue” policies when it is “not legal for private citizens to carry concealed weapons” (Lee & Shi, 2017, p.236). In these states, there are “very limited exceptions” to the rule (Lee & Shi, 2017, p.236).

“[M]ore and more states have passed right-to-carry laws” making it “relatively easy for residents to obtain permits that allow them to legally carry concealed weapons in public” and the consequences have been studied extensively from both sides of the debate (Lee & Shi, 2017, p.234). Gun control opposers claim that media sources only address the “sensational side of the mass killings” and fail to report on the “successes of those with guns who prevent attacks or limit their severity” (Ausman & Faria, 2019, p.5). It has also been reported that FBI crime statistics show that gun control attempts like waiting periods and the Brady Law are not “associated with a reduction in crime rates” (Ausman & Faria, 2019, p.5). In contrast, “concealed carry gun laws” have been said to reduce the “death rates from public, multiple shootings” by 69% without any “apparent increase in accidental death” (Ausman & Faria, 2019, p.6).

Further questioning the effectiveness of gun restrictions is data released by the United States Department of Justice which reports that “75% of all violent crimes for any locality are committed by 6% of hardened criminals and repeat offenders” and that “less than 2% of crimes committed with firearms are carried out by licensed law-abiding citizens” (Ausman & Faria, 2019, p.6). However, it is important to note that these statistics are taken from 1992-2001 (Ausman & Faria, 2019, p.6). This data, while significantly outdated, shows that “over 98% of

²¹ 18 U.S.C. ch. 44 § 922 et seq

²² 18 U.S.C. § 926B et seq. 18 U.S.C. § 926C

²³ 18 U.S.C. ch. 44 §§ 921, 922, 924

violent crimes are committed by people without permits to carry concealed weapons,” which speaks to the ineffectiveness of existing gun control policies (Ausman & Faria, 2019, p.6). J. Scott Lewis of the International Social Science review claims that there is “convincing empirical evidence” showing the “sparse” and “inconclusive” results of “stricter gun control laws (Lewis, 2018, p.3).

However, there is empirical evidence on the other side of the debate as well—in 2013, a “review of 130 studies on 10 countries...found that new legal restrictions on owning and purchasing guns” was “followed by a drop in gun violence,” which strongly indicates that “restricting access to guns can save lives” (Lopez, 2018). The review found that “in certain nations, the simultaneous implementation of laws targeting multiple firearms restrictions” was correlated with “reductions in firearm deaths” (Cerdá et al., 2016). Laws that restrict “the purchase of and access to firearms are also associated with lower rates of intimate partner homicides and firearm unintentional deaths in children” (Cardá et al., 2016). Economist Richard Florida also found that “states with tighter gun control laws have fewer gun-related deaths” (Lopez, 2018).

The Gun Problem: Who Are the Players?

Gun ownership is “one of the oldest and in many places cherished traditions in America” (Abrams & Chan, 2018, p.20). The rights granted by the Second Amendment were “regarded as so central to the notion of liberty that” they “came second in the Bill of Rights” 230 years ago (Abrams & Chan, 2018, p.20). Today, however, “the gun debate stands frozen in stalemate,” with both sides “unable to agree even on the meaning of the words” of the Amendment (Abrams & Chan, p.20). Arguments against gun rights include the prevalence of mass shootings, school shootings, and the violent crime problem (Jacobs, 2002, p.10). On the other side of the debate lie the benefits of guns related to home protection, the social benefit from a sense of security, and gun-related hobbies like target shooting, gun collecting, and hunting (Jacobs, 2002, p.15).

According to a Vox report, the United States has the largest rate of “homicides by firearm per 1 million people” at 29.7 (Lopez, 2018). The following is a handful of developed countries and their rates for comparison: “New Zealand 1.6; Germany 1.9; Austria 2.2; Denmark 2.7; Netherlands 3.3; Sweden 4.1; Finland 4.5; Ireland 4.8; Canada 5.1; Luxembourg 6.2; Belgium 6.8; Switzerland 7.7” (Lopez, 2018). According to these statistics, the rate of homicides by firearm in the United States greatly exceeds all other developed countries, which shows the significance of the problem on a global scale.

There is wide agreement that violent crime is a major issue plaguing the country with empirical evidence linking gun use with violence. For example, between Sandy Hook²⁴ in 2012 and 2015, “there [were] more than 1,600 mass shootings” and when averaging the mass shootings in the United States, it was found that “there is around one mass shooting for each day in America” (Lopez, 2018). According to some, “the problem may be worsening:” statistics show that “the rate of mass shootings tripled between 2011 and 2014” (Hemenway, 2017). Further, murders from guns “increased by more than 18% from 2014 to 2015” and these numbers are rising (Hemenway, 2017). However, “the U.S. government, at the behest of the gun lobby[ist],” limits the “collection of data,” “prevents researchers from obtaining much of the data that are

²⁴ On December 14, 2012, a 20-year-old named Adam Lanza shot 26 people, including 20 six and seven year olds and 6 staff members, at Sandy Hooke Elementary School in Netwon, Connecticut.

collected,” and “severely restricts the funds available for research on guns” (Hemenway, 2017). The lack of support from the government makes it difficult to reach a solution through research, which hinders the ability to investigate American gun issues, and is only exacerbated by the polarity of the gun debate.

While there are “many factors that explain America’s predilection for violence with and without guns,” including the “legacy of slavery and racial oppression,” the “frontier tradition” (meaning the culture associated with colonization and colonial life), income inequalities, drug use, poverty, and “weak community controls,” the role of guns in American violence remains an important factor (Jacobs, 2002, p.11). It is crucial to consider why it has been said that “a higher proportion of Americans is willing to kill family members, friends, rivals, and crime victims” as compared to “citizens of other countries” (Jacobs, 2002, p.17). However, it is also important to recognize that this claim “is being rendered debatable by empirical research” (Jacobs, 2002, p.17). With empirical evidence supporting both sides of the argument, it becomes difficult to decide which evidence to turn to.

Further complicating the issue is the Second Amendment. It has been argued that the extent of the Amendment’s protections “do not coincide with the boundaries of gun control” and that it does not “prohibit all direct burdens imposed by” it (Blocher & Miller, 2016, p.296). However, it has also been argued that the right to bear arms is a crucial component of American citizenry. This perspective is highly reinforced in the country’s political landscape, considering the strength of the National Rifle Association (NRA) as a financial supporter of many politicians across the political spectrum. The NRA is the “largest organization devoted to the cause of gun rights in the United States” and is “widely recognized today as...America’s foremost defender of Second Amendment rights” and the “premier firearms education organization in the world” (NRA-ILA; Colen & Steidly, 2016, p.612).

In 1871, the National Rifle Association (NRA) was formed by Union veterans Col. William C. Church and Gen. George Wingate with the goal to “promote and encourage rifle shooting on a scientific basis” (NRA-ILA). Shortly thereafter, in 1872, the NRA purchased land to develop a practice ground at a site on Long Island called the Creed Farm (NRA-ILA). Faced by political opposition, they had to move the site to a new location in Sea Girt, New Jersey (NRA-ILA). In 1903, the NRA began promoting shooting sports among America’s youth and, by 1906, over 200 young boys competed in matches at the Sea Girt range (NRA-ILA). The NRA’s growth required a new range, which was built near Toledo, Ohio on the shores of Lake Erie (NRA-ILA). Called Camp Perry, this range became home to the annual National Matches—“one of the biggest sporting events held in the country today” (NRA-ILA). In 1934, the NRA formed the Legislative Affairs Division “in response to “repeated attacks on the Second Amendment rights” (NRA-ILA). Then, in 1975, the NRA formed the Institute for Legislative Action (ILA) due to the “critical need for political defense of the Second Amendment” (NRA-ILA). In 1949, the NRA established the first hunter education program, concentrating on “another much-needed arena for education and training,” and helping to make hunting “one of the safest sports in existence” (NRA-ILA). In 1960, the NRA introduced the NRA Police Firearms Instructor certification program and, in 1988, began implementing youth firearm education programs (NRA-ILA). In order to “ensure that the financial support for firearms-related activities” would always be available, the NRA established the NRA Foundation through which the organization raised

“millions of dollars to fund gun safety and educational projects of benefit to the general public” (NRA-ILA).

Some of the NRA’s regular activities include “send[ing]...publications to its members, organiz[ing] social events for fundraising, and promoting shooting sports” (Colen & Steidly, 2016, p.612). In advancing its goals, the NRA “engages sources of power in a long-term effort on behalf of an ideologically aligned constituency” (Colen & Steidly, 2016, p.612). The NRA’s power in politics is a result of its financial support of “more than half of congressional incumbents”—many members even have “long-standing financial relationships with the NRA that date back years” (Kessler, 2018). The strength of the NRA and its role in modern U.S. politics coupled with the Second Amendment makes advancing gun control policies a prerogative that faces heavy resistance.

Previous academic work on the issue of gun rights in the United States is highly disparate and politically charged, regardless of the way the Second Amendment is interpreted. The debate’s causes are “deeply embedded in our culture, history, demographics, race-relations, distribution of wealth, and national character” (Jacobs, 2002, p.17).

Gun Ownership and Self-Defense

Many gun rights advocates stress the importance of guns for self-defense in America. There is data showing that guns deter violent crime—the “defensive use” of guns by Americans totals at “2.5 million used per year and dwarfs the offensive gun use by criminals” (Ausman & Faria, 2019, p.5). According to these numbers, there are “between 25 and 75” lives saved by a gun in defensive protection for “every life lost to a gun in crime” (Ausman & Faria, 2019, p.5). According to Ausman and Faria, “resisting [attacks] with knives, clubs, or bare hands” renders victims around “twice as likely to be injured” as compared to those who do not fight back; further, those who “resist with a gun are only half as likely to be injured as those who put up no defense” (Ausman & Faria, 2019, p.6). Drawing on the notion that women are more at risk of attack than men, Ausman and Faria claim that guns serve as a “great equalizer” for “law-abiding citizens in self and family protection,” and are especially helpful for women “when they are accosted in the street or...defending themselves and their children at home” (Ausman & Faria, 2019, p.6).

Ausman and Faria also explain the dangers of gun free zones (GFZs), showing that many “violent crimes [are] committed [in] what are regarded as GFZ” (Ausman & Faria, 2019, p.7). In such circumstances, the “deranged killer” has complete liberty to “murder” the people within the zone (Ausman & Faria, 2019, p.7). According to Ausman and Faria, Fault can be assigned to the state for these murders, since it “has GFZ that only apply to the unarmed citizens and not to the killers” (Ausman & Faria, 2019, p.7). Lapiere of the NRA adds to this argument, claiming that “the only thing that stops a bad guy with a gun is a good guy with a gun” (Overby, 2012). The overarching argument here is that the solution to gun-related crime is to arm more people with guns in order to protect themselves from gunfire. The “central concern” is that gun restriction legislation is the “gateway to civilian disarmament, which often precedes [tyranny and] genocide” (Ausman & Faria, 2019, p.6). Wayne Lapiere confirms this sentiment, saying in a speech at an NRA conference:

“We know, in the world that surrounds us, there are terrorists and home invaders and drug cartels and carjackers and knockout-gamers and rappers, haters, campus killers, airport killers, shopping-mall killers, roadrage killers, and killers who scheme to destroy our country with massive storms of violence against our power grids, or vicious waves of chemicals or disease that could collapse the society that sustains us all. I ask you: Do you trust this government to protect you? We are on our own.” (Younge, 2016, p.14)

Highlighting the notion that large-scale crime will occur no matter what the country’s policies are, Lapierre and his colleagues stress the importance of arming innocent civilians with ways to defend themselves against the most violent, horrific criminals that threaten the safety of Americans on a daily basis.

On the other side of the debate lies the argument that “the more likely you are to have a gun in the house, the more likely you are to be shot dead” (Younge, 2016, p.14). Younge looks to other countries to support this argument, saying that “every other developed country” has similar problems to the United States to differing degrees—all countries have “segregation, inequality, racism, citizens with mental-health problems” (Younge, 2016, p.14). However, the difference is that “they don’t have...a huge arsenal of guns to throw on that tinder” and, as such, the problems associated with the aforementioned difficulties are not heightened by the heavy presence of firearms in homes, like they are in the U.S. (Younge, 2016, p.14).

Gun Control and Mass Shootings

Another important issue central to the topic of gun control is the epidemic of mass shootings that has erupted in the United States. Mass shootings “now seem common place in churches, workplaces and schools” and people’s “fears of lone wolves with semiautomatics seem to have grown” as the number of mass shootings has increased and become normalized (Elliott, 2016, p.50). It has been shown that the number of gun murders is not comforting “in the face of such high-profile incidents” (Elliott, 2016, p.50). Gun rights supporters, however, argue that increased gun control in the form of “background checks” and other regulations, “would not have prevented Newtown or the ISIS-inspired murders in San Bernardino, Calif. and an Orlando nightclub,” all situations in which the guns used were “purchased from gun stores will full background checks” (Elliott, 2016, p.51).

Gun rights supporters also look to data that shows that California, “the state with the most mass shootings,” and “the cities with the highest rates of serious crimes...are those with the strictest gun control laws,” claiming that gun control has either no effect on reducing crime or actually increases the incidence of mass shootings (Ausman & Faria, 2019, p.7). However, while this data does show correlation, it does not show causation. It may be the case that these areas have the most stringent laws precisely because gun violence is such a significant issue. The data also neglects to report the change in crime rate after the implementation of the laws, ignoring the possibility that gun control policies reduced the crime rate after being enforced.

Further, when looking at the entire country, according to the FBI Uniform Crime Reports and the U.S. Bureau of Justice Statistics, “it is true that the number of shooting rampages has increased in recent years,” yet the “rate of violent crimes and homicides...has decreased significantly over the same period despite the tremendous increase in the number of firearms in the U.S.” (Ausman

& Faria, 2019, p.7). It would be impossible to try to decipher what actually is causing the decrease in violent crimes and homicide rates despite increasing numbers in firearms in the country; however, it is possible to speculate an explanation. It is also important to recognize that history is known to repeat itself and, as such, the more guns held by citizens means that there may be more of a threat if the number of violent crimes and homicides rises again and more people are in possession of guns. In this circumstance, these high numbers may reach new heights due to the sheer quantity of privately owned firearms in the U.S. currently.

Contrary to the information provided by gun rights activists, some have found that “states with stricter gun control have fewer incidences of mass murder;” on the other hand, it was also found that “states with stricter gun control have significantly higher numbers of victims” (Lewis, 2018, p.15). Despite the conflicting evidence, Lewis’s study found that mass “shootings were significantly less likely to happen in states that require background checks” and, despite the fact that the “correlational study cannot substantiate causation,” it can “serve as a springboard” to further understanding the role of background checks on mass shootings (Lewis, 2018 p.16).

Gun Violence and Mental Health

One concern regarding gun ownership is mental health. Recent gun control policy “aimed at removing guns from the hands of the mentally ill in order to reduce violence [has been said to be] misguided,” which “contributes to the mistaken belief that there is a direct link between mental illness and violence,” according to Rosen and Wolf (Rosen & Wolf, 2015, p.852). Associating mental illness to the gun control debate, according to these researchers, is problematic because people “assume [that] those with mental illnesses are more prone to violence than those without those issues” (Rosen & Wolf, 2015, p.853). Having a mental illness is, according to Rosen and Wolf, “not a strong predictor of future violence” (Rosen & Wolf, 2015, p.853). In fact, “individuals who have exhibited dangerous behaviors in the past, have a criminal record, or have a history of drug abuse, for example, are much more likely to commit future violent crimes” (Rosen & Wolf, 2015, p.853).

Despite these arguments, however, others still claim that the mass shooting problem is due in large part to the “mental health system,” which created a problem through the “deinstitutionalization of mental patients” in the 1960s (Ausman & Faria, 2019, p.7). In “100 cases of rampage shooting incidents,” 63 cases involved attackers who “made threats of violence before the event, including 54 who threatened specific violence to specific people” (Ausman & Faria, 2019, p.8). Further, “over half of the shooters had overt signs of mental illness that had gone untreated,” showing how “deadly rampages are the result of failure of the mental health system...to identify those deranged individuals who have the potential to harm others” (Ausman & Faria, 2019, p.8).

According to Peterson, on the other hand, “the vast majority of people with mental illness are not violent, not criminal, and not dangerous,” but “mental illness may still play a role” in the incidence of mass shootings. It has been shown that “about 40 percent of female serial killers experienced some form of mental illness,” which shows substantial correlation (Lewis, 2018, p.16). This is questioned by other research conducted about “gun deaths and other social indicators,” which “found that higher populations, more stress, more immigrants, and more mental illness” did not, in fact, “correlate with more gun deaths” (Lopez, 2018).

Further, a study published in the International Social Science Review found “no relationship between serious mental illness in...mass murders” and there is no conclusive evidence that “crime and mental illness are inherently connected” (Lewis, 2018, p.16). Having empirical evidence on both sides of the question makes it difficult to draw specific, accurate conclusions about the role of mental health in gun-related crimes and “even if mental illness is not a definitive precursor for mass murder,” it is still important to address “psychological considerations” in the issue (Lewis, 2018, p.16).

Suicide and Domestic Violence With Guns

As previously mentioned, it has also been shown that, “among high-income countries, the United States has one of the highest rates” of firearm suicide rates at 5.8 per 100,000 (Cerdá et al., 2016). Although the “political debate about guns” focuses largely on “grisly mass shootings and murders,” a large part of “gun-related deaths in the U.S. are suicides” (Lopez, 2018). Suicide is “one of the most compelling reasons for reducing access to guns” because of the large amount of research showing that “greater access to guns dramatically increased the risk of suicide” (Lopez, 2018). In a study about gun control and suicide, “when countries reduced access to guns, they saw a drop in the number of firearm suicides” (Lopez, 2018). In Australia, for example, it was shown that gun-related suicides “dropped dramatically after the Australian government set up a mandatory gun buyback program” that resulted in a reduction in the “number of firearms in the country by about one fifth” (Lopez, 2018).

Another large threat posed by gun access is domestic violence. Between the years 1980 and 2008, “there were approximately 1,620 domestic homicides annually” and 55% of those incidents involved the use of firearms (Raissian, 2016, p.67). Studies have also shown that there is a “link between a batterer’s access to firearms and an increase in the severity of physical abuse they inflict on their partners” (Raissian, 2016, p.67). In households with a “history of domestic violence and where guns are also present are 20 times more likely to experience an intimate partner homicide” than those with a “history of domestic violence but where no gun is present” (Raissian, 2016, p.68). Thus, the less guns people have in their homes could mean saving the lives of more victims of domestic violence.

Public Opinion of the Gun Debate

The public’s opinion “regarding gun ownership and control” coincides with “deep political and sociodemographic divisions in the U.S. population” (Anderson et al., 2019). People that are disparately affected by the problems associated with gun access are more likely to support gun control than those who are not. As “segregation is a serious barrier to empathy,” when “poor black and brown people are shot dead in areas of deprived resources, the media, the police, and a sizable portion of the political class” simply confirm their view that lower-income neighborhoods are “dysfunctional places where dysfunctional people live and die” (Younge, 2016, p.14). This relates heavily to geographic segregation, with rural areas experiencing less violence than urban areas because of income disparities and education inequalities (Younge, 2016, p.14).

The nation’s gender demographics play a part in gun control attitudes as well. Specifically, “women [have been said to be] more likely to support gun control than men” (Lizotte, 2019). It

was found that “women are less likely than men to own a gun and to see owning guns as a means of self-protection” (Lizotte, 2019). Overall, 22.1% of U.S. adults “reported owning a gun” and 72.5% “favor presale gun permit laws” (Anderson et al., 2019). Non-Hispanic white, politically conservative, males over the age of 65 earning over \$35,000 annually residing outside the Northeast were “significantly more likely to own guns” than other demographics” (Anderson et al., 2019). Polls also show that “about 9 out of 10 Americans support universal background checks on gun purchases and a majority support bans on high-capacity magazines” (Elliott, 2016, p.49).

In terms of the country’s attention to the issue, a correlation has been found between interest and recent event. An “exploration of Google Trends” revealed that the “frequency of national searches related to gun control peaks with mass shootings over a 1-2 week period’ before stabilizing to normal “relative popularity” (Niforatos et al., 2019). This suggests a need to “engage the public on gun control during ‘trough’ periods in order to sustain interest and dialogue” (Niforatos et al., 2019). Further, “increased proximity to a mass shooting” is directly associated with “heightened public support for stricter gun control” (Hartman & Newman, 2019). This finding “does not vary by partisanship, but does vary as a function of salience-related event factors, such as repetition, magnitude and recency” (Hartman & Newman, 2019).

When mass shootings occur, “the nation’s attention becomes concentrated on the issue” (Younge, 2016, p.14). During these times, “national gun-control advocates come to the fore” in order to make a case for laws “that would keep more Americans safe” (Younge, 2016, p.14). However, it is important to note that “most people who are shot dead do not die in mass shootings” (Younge, 2016, p.14). In fact, it has been said that “most people who are killed by a gun use one to kill themselves, and many of the remaining deaths come in the form of routing interpersonal violence” (Younge, 2016, p.14). While mass shootings make it to the forefront of the media, daily shootings take more American lives than mass killings.

Possible Solutions

The primary purpose of “federal and state gun reporting laws is to ensure that communities across the United States are safe from gun violence” (Rosen & Wolf, 2015, p.853). As such, some argue that “gun laws should be based on propensity or actual violence” (Rosen and Wolf, 2015, p.853). It has been shown that both “incidences of violence” and “number of victims” are important considerations in measuring “gun control effectiveness” (Lewis, 2018, p.15). Examples of ways to consider both of these factors in gun control legislation include “a ban on gun enhancers such as bump stocks,” or even “a ban on the size of ammunition magazines,” which could serve as effective ways to reduce “victimization in mass murder incidences” (Lewis, 2018, p.15). Gun control implementation based on reacting “fails to halt violent gun crime...because it does not address the root causes of gun crime” (Rosen & Wolf, 2015, p.853). The ‘right’ way to address gun access is heavily controversial and remains open for debate, a controversy that this paper aims to contribute to solving.

III – Methodology

Approach

This paper takes an empirical, comparative, and doctrinal approach to address the question of how the United States can implement tangible and effective gun restriction policies to address

the current gun problem while respecting the rights granted by the Second Amendment to the Constitution, the rights of lawful gun owners, and the desires of the American people.

Methods

Firstly, a survey will be conducted to collect data on the demographic information and gun attitudes of respondents (Figure 1). The survey will be circulated using Qualtrics to at least 200 respondents. This data will be analyzed to investigate whether there is a relationship between demographic qualities and opinions on gun ownership and regulation in the United States. It will also investigate whether individuals' experiences with guns and history relating to gun use affects their opinion on gun control. In order to do so, results will be presented by looking at how much more likely certain groups are than others to respond to questions in either pro-gun or pro-regulation ways. For the purpose of this study, percentage differences under 5% will not be counted as statistically significant, considering the small sample size collected. These findings will inform the 'desires of the American people' requirement for gun regulation suggestions, as well as provide the opinions of foreigners in order to achieve a more objective overall result and see how U.S. respondents feel in comparison to those from other countries. Although outsiders' opinions are not the main focus when discussing how a country should change, it is important to understand how others see the issue without being tied to patriotism or generational influence within the country.

Secondly, an international comparison of gun laws in fifteen developed countries, including the United States, will be presented. The laws will be summarized and analyzed in order to understand the difference among the specific countries as well as decipher which set of laws has been most effective in balancing citizens' desires and rights to own guns with the country's public health and safety interests. Five countries will be selected as models—they will be the ones that exhibit similar culture and gun priorities to the United States—from which the best practices and most reasonable practices of each country will be taken and altered to tailor them to U.S. culture.

The results of people's attitudes towards gun regulation and the effective policies taken from the international comparison will inform the discussion and conclusion in order to respond to the research question.

IV - Survey Results & Discussion

Demographic Results

The survey was circulated for 10 days and collected 181 responses in that time. Basic results showed that 76.8% of respondents were between ages 18 and 24, with 9.94% between ages 25 and 40, 10.50% between ages 40 and 60, and 2.4% between 60 and 80 (Figure 2). 58.3% reported an annual household income of over \$100,000USD, 11.67% reported between \$80,000 and \$100,000, 18.33% reported between \$40,000 and \$80,000, and the remaining 11.7% reported less than \$40,000 (Figure 3). 35.91% of respondents reported their gender as male, while 63.54% self-identified as female and 0.6% self-identified as gender non-conforming (Figure 4). 50.28% reported their highest education level as bachelor's degree, with 38.12%

reporting high school, 6.63% master's degrees, and 4.97% professional or doctorate degrees (Figure 5). 82.87% of respondents have never been married, 14.36% are currently married, and 2.76% are divorced (Figure 6). In terms of children, 86.74% of respondents have none, 7.73% have 1-2, and 5.52% have 3-4 (Figure 7).

69.61% of respondent identified their race as white, while 9.94% reported their race as Asian, 6.63% reported black or African American, 6.63% reported Hispanic or Latino, 5.52% selected "not listed," 1.10% selected "prefer not to say," and 0.55% reported Native Hawaiian or Pacific Islander (Figure 8). 83.33% of respondents reported their ethnicity as not Hispanic or Latino, while 12.22% reported their ethnicity as Hispanic or Latino and 4.44% selected "prefer not to say" (Figure 9). When asked to identify their religion, 40.1% reported that they identified as Christian (6.04% protestant, 25.27% catholic, and 8.79% "other"), 25.82% reported Jewish, 20.88% nonreligious, 6.59% atheist, 3.30% Islamic, and 2.20% Hindu, while 0.55% selected "not listed" and 0.55% selected "prefer not to say" (Figure 10). When asked where respondents were from, 56.59% reported Northeast, 25.27% reported that they live outside of the U.S., 5.49% are from the Midwest, 4.95% reported Southeast, 2.75% reported West, 2.75% reported Mid-Atlantic, 1.65% reported Southwest, and 0.55% reported Northwest (Figure 11).

Experience and Attitude Results

When asked questions relating to gun experiences, only 4.57% of respondents reported that they own a gun, while 71.75% reported that they know someone that owns a gun (Figure 12). Of that 71.75%, the relationships of the respondent to the person varied. 33.86% of respondents have a friend that owns a gun, 26.77% have a non-immediate family member that owns a gun, 19.69% have a direct family member that owns a gun, 11.02% have a personal acquaintance that owns a gun, 3.94% responded "other" to this category, 1.57% responded "prefer not to say," and 0.8% have a professional acquaintance that has a gun. Of those who own a gun themselves, 72.72% purchased it at a gun shop, 18.2% purchased it through a private seller, 9.1% purchased it at a retail store, and 9.1% prefer not to say.

When asked about their experience with injury and death caused by a gun, 4.57% of respondents reported that they themselves have suffered injury from a gun, 23.30% know someone that has suffered injury or death caused by a gun, and 1.14% preferred not to respond to the question (Figure 13). Of those who know someone that has suffered injury or death caused by a gun, 27.9% reported this person as a friend, 23.26% reported this person as a personal acquaintance, 16.28% reported a non-immediate family member, 13.6% reported an immediate family member, 11.63% selected "other," and 6.98% reported a professional acquaintance.

To collect respondents' attitudes towards gun control in the United States, they were asked 10 questions for which they were to choose their response from a likert scale ranging from "Strongly Agree" to "Strongly Disagree,"²⁵ as shown in figure 14. 89.9% of respondents expressed agreement that the United States has a gun problem, whereas only 7.1% expressed disagreement and 3% remain neutral. When asked about whether or not gun control could solve the problem, 83.9% of respondents agreed that it could, while 11.9% disagreed, and the

²⁵ For the purpose of this data, all response choices that express agreement will be referred to as 'agree' and all response choices that express disagreement will be referred to as 'disagree.'

remaining 4.2% remained neutral. 14.3% of respondents agreed that the United States has sufficient gun regulation policies, while 80.4% disagreed and 5.4% remained neutral.

These results included people from outside of the U.S.; however, it is important to discuss how Americans responded, since the American people's opinions matter most when it comes to understanding opinions behind U.S. gun control. When asked if they agreed that the U.S. has a gun problem, 88% of American respondents agreed, 8.8% disagreed, and 3.2% remained neutral. 80.4% of American respondents agreed that gun control could effectively solve the gun problem, 14.4% disagreed, and 4.8% remained neutral. 16% of respondents agreed that the current gun policies are sufficient, while 80% disagreed and 4% remained neutral.

To evaluate how all respondents think about the solution to the gun problem and the insufficient policy issue, they were asked whether they believed that the existing policies should be amended to be more strict, and then were asked whether they believed that the existing policies should be completely scratched so that new ones could be implemented. Responding to the question of amendment, 88.1 % agreed that existing policies should be amended, while 7.1% disagreed, and the remaining 4.2% remained neutral. Further, when asked if completely new policies should be implemented, 78.4% agreed, 13.8% disagreed, and the remaining 7.2% remained neutral. Finally, when asked if they believed that U.S. gun policies are comparable to those in other major developed countries, only 5.5% agreed, while 65.6% disagreed, 15.8% remained neutral, and 3.8% preferred not to respond.

When these responses were broken down to show what Americans think without the opinions of foreigners, 79.4% agreed that the current policies should be amended to be more strict, while 8.8% disagreed, and 3.7% remained neutral. 68.4% of Americans agreed that new policies should be implemented, while 16.2% disagreed, 6.6% remained neutral, and 0.7% selected "prefer not to answer." When asked if they believed that U.S. gun policies are comparable to those in other major developed countries, 5.1% agreed, 64.7% disagreed, 18.4% remained neutral, and 2.9% preferred not to respond.

The last four questions asked participants how they feel about gun ownership as it relates to their opinions and their own sense of safety. When asked whether individual citizens should have the right to own guns, 58.9% of all respondents agreed, 31.5% disagreed, and 9.5% remained neutral. Respondents were then asked whether they have considered moving away from the U.S. at least in part due to the gun problem and only 15.6% agreed, while 59.9% disagreed, 7.2% remained neutral, and 17.4% preferred not to answer (most likely due to the question not being applicable to international respondents). Next, more specifically, respondents were asked about their opinions on gun control as it relates to school shootings. 76.2% agreed that gun access is a leading cause of school shootings, while 17.9% disagreed 6% remained neutral. When asked whether respondents are fearful to send their children to school because of the threat of a school shooting, 23.8% agreed, while 20.8% disagreed, 4.8% remained neutral, and the remaining 50.6% preferred not to answer (most likely selected by those who do not have children).

When gun ownership and opinion questions were broken down to see how Americans responded, 59.6% agreed that individual citizens should have the right to own guns, while 23.5% disagreed, and 8.8% remained neutral. 11.8% agreed that they have considering moving away from the U.S.

due to the gun problem, 67.6% disagreed, 6.6% remained neutral, and 5.1% preferred not to answer. When school shooting questions were looked at just for Americans, 69.1% agreed that gun access is a leading cause of school shootings, 18.4% disagreed, and 4.4% remained neutral. 18.4% agreed that they were fearful to send their kids to school due to the threat of a school shooting, 22.8% disagreed, 2.9% remained neutral, and 47.8% preferred not to answer (again, most likely selected by those who do not have children).

Survey Discussion

Even though the survey was limited to a small sample size, results extracted raised some important points—namely, that, overall, Americans feel that they have a right to own guns. However, they also showed that Americans recognize that a gun problem exists in their country. The survey showed that Americans believe that current gun regulation policies are insufficient and would like to see them amended or re-written. The majority of Americans even recognize that gun access is a leading cause of school shootings. Despite these opinions, the majority of American respondents did not report that they have considered moving away from the country as a result of the gun problem. An alarming result was that 18.4% of American respondents remained neutral or did not respond when asked if the U.S. gun policies were comparable to other countries. For comparison, only 8.5% of non-Americans responded to the question in this way. One explanation for this difference is that Americans are 9.9% more likely than non-Americans to feel like they do not know enough about gun policies internationally to take a stance on this question, bringing up a severe educational shortcoming when it comes to American knowledge about where other countries lie on this issue.

Demographic Analysis

In terms of demographics, it was found that the characteristics most likely to sway gun opinions were respondents' genders, home regions, races, religions, and income levels. Age, marital status, and ethnicity did not correlate with significant differences in gun opinions. Further, the only question in which number of children caused a correlation was when respondents were asked if they are fearful to send their children to school due to the threat of a school shooting. As expected, those with more children expressed more fear: for example, respondents with 3-4 children were 11.8% more likely than those with no children to agree with this question.

Regarding respondents' genders, those who identify as male were consistently and significantly more likely to present pro-gun answers, confirming claims previously gathered in the literature review. For example, male respondents were 18.4% more likely than female respondents to disagree that there exists a gun problem in the U.S. They were 14.9% more likely to disagree that gun policies should be amended to be more strict, 16.7% more likely to disagree that new policies should be implemented, and 22.5% more likely to agree that individual citizens should have a right to own guns. Male respondents are 16.9% more likely to disagree that gun access is a leading cause of school shootings, 31.6% more likely to disagree that they are fearful to send their children to school due to the threat of school shootings, and 12.1% more likely to disagree that they have considered moving away from the U.S. due to the gun problem.

Another demographic factor that heavily influenced responses was home region, in which the responses by respondents from the Southeast were most apparent. For almost every question, people who identified their home region as the Southeast responded with the strongest pro-gun

and anti-regulation attitudes. These respondents were 12.2% more likely to disagree that the U.S. has a gun problem, 13.3% more likely to disagree that gun control could solve the gun problem, 12.5% more likely to disagree that gun control policies should be amended to be more strict, 27.9% more likely to disagree that new gun control policies should be implemented, and 23.3% more likely to agree that the U.S. has comparable gun laws to other major developed countries than people from all other regions. These findings confirm the common stereotype that people living in the South exhibit more pro-gun opinions than those in other regions of the U.S.

In looking at how respondents' race affected their responses, the most striking result was that respondents who identify as Black or African American were 16.7% more likely to agree that they have considered moving away from the U.S. at least in part due to the gun problem than other races. Blacks and African Americans were also 8.3% more likely to agree that gun access is a leading cause of school shootings and 33.3% more likely to agree that they are fearful to send their kids to school due to the threat of a school shooting than other races. The disproportionate impact of gun violence on Black and African Americans resulting from criminal justice history and institutional and systemic racism is a factor that could explain these results; however, that is beyond the scope of this study.

Another race-related result showed that, overall, white respondents were more likely to present pro-gun and anti-regulation attitudes than other races; however, even though the answers were always slightly more in favor of gun rights, the percentage differences were not higher than 4%, making it less statistically significant and thus less conclusive than other findings.

Respondents' income had less of an effect on their responses to questions; however, the findings were still interesting and raised important questions. In general, people with lower incomes were more likely to respond in a pro-gun manner to questions about gun reform, while those with higher incomes were more likely to respond in a pro-gun manner to questions about their own sense of security in the country. Respondents who self-identified as earning less than \$20,000 in annual household income are 12.2-25.7% more likely than all other groups to agree that the current gun policies in the U.S. are sufficient. Respondents earning less than \$40,000 in annual household income were 18.8-33.3% more likely to feel that gun laws in the U.S. are comparable to those in other countries. Considering assumed links between income and education, these results could be explained by a general lack of education that usually correlates with lower income levels—the less educated a person is, the less aware they might be of the gun issue at large. However, these findings were not confirmed by the education question results and, as such, lack of education cannot be interpreted as a conclusive explanation. A more comprehensive survey would allow for a better understanding of this specific topic.

On the other hand, respondents who reported an annual household income of over \$80,000 expressed responses indicating that they are the income group that feels the greatest sense of security in terms of the role guns play in the U.S. For example, respondents earning over \$80,000 were at least 9.8% more likely to disagree that they are fearful to send their children to school due to the threat of a school shooting than all other income groups. Further, respondents earning over \$80,000 were at least 11.9% more likely to disagree that they have considered moving away from the U.S. at least in part because of the gun problem than all other income groups. This data confirms the existing knowledge that gun violence has the least affect on the wealthy—who are

also usually white—than on the impoverished—a group that has become synonymous with people of color. It can also be explained by income and wealth inequalities as they relate to racial discrimination due to the history of racial injustice in the U.S., but, again, that is beyond the scope of this study.

Another conclusive finding was in relation to respondents' religion. In general, those who identified as Christian of any branch were more likely to respond in a anti-regulation manner. For example, Catholic Christians were at least 9% more likely than non-Christian groups to disagree that gun control could solve the gun problem, while those who identified as "Christian – Other" were 9.2% more likely than non-Christian groups to agree that current gun laws are sufficient. Further, Protestant Christians were 18.7% more likely than non-Christian groups to agree that individual citizens in the U.S. should have a right to own guns. These findings show that religious beliefs do, in fact, inform people's opinions on gun ownership and gun regulation.

Gun Experience Analysis

In terms of gun experiences, those who own a gun and know someone who owns a gun were more likely to answer the questions in a more pro-gun manner. Respondents who know a gun owner were 7.4% more likely to disagree with changing existing gun laws, 12.5% more likely to disagree with the implementation of new gun regulation policies, and 19% more likely to agree that individual citizens should have a right to own guns than those who do not know gun owners. When looking at the same metrics for gun owners themselves, the percentages increased to 18.4% more likely, 51.7% more likely, and 25% more likely than those who do not own guns themselves, respectively.

Additionally, when responding to questions about school shootings, people who know someone that owns a gun were 18% more likely to disagree that gun access is a leading cause and 16.4% more likely to disagree that they are fearful to send their children to school due to the threat of a school shooting than respondents who do not know gun owners. Further, those who own guns answering the same questions were 34.9% more likely to disagree that gun access is a leading cause of school shootings and 44.4% more likely to disagree that they are fearful to send their children to school due to the threat of a school shooting than those who do not own guns.

For all of the above metrics, unsurprisingly, these opinions are most strengthened when the respondent who knows a gun owner defined their relationship to that person as a family member or friend. These results were to be expected—it is natural that those who participate in gun culture are those most likely to have pro-gun opinions. However, some results were more surprising. It was expected that those who have been injured by a gun would be more pro-regulation than others, but this was not always the case. For example, while those who have suffered from injury were 16.3% more likely to agree that gun policies should be amended, 20.5% more likely to disagree that individual citizens should have the right to own guns, 23.6% more likely to agree that they have considered moving away from the U.S. because of the gun problem, and 12.8% more likely to agree that new policies should be implemented. This group was also 19% more likely than those who have not suffered injury due to a gun to deny the existence of a gun problem. It seems as though this group does not see a problem overall, but that they recognize its existence in more specific questions and respond in a more pro-regulation manner when the issue is broken down into parts.

It was also expected that those who know someone that has suffered from injury or death caused by a gun would respond to the survey questions in a more pro-regulation manner; however, the results show no significant difference between this group and those who do not know someone that has suffered injury or death caused by a gun. Interestingly, while it was expected that those who have a close relationship to someone that has suffered injury or death from a gun would support gun regulation, the opposite actually occurred. Those who have a direct family member that has been the victim of gun injury or death were 25-33.3% more likely to disagree with the existence of a gun problem, 19-33.3% more likely than those whose relationship with the person that has been a victim was defined by another category to disagree that gun control could effectively solve the gun problem, and 13.3-25% more likely to agree that current policies are sufficient.

These findings show that people are more likely to support gun control if they have been injured by a gun, but that knowing someone that has suffered from injury or death caused by a gun is not necessarily an experience that pushes people in favor of gun control. It seems as though people with more gun experience are more in favor of guns, and the more guns in the hands of the people means more deaths will occur, which in turn brings the cycle back to the start where people who have experience with guns prefer more access to them. This cycle must be broken to reduce the number of people who suffer from injury or death because of a gun.

V – International Comparison & Discussion

Gun Laws in the Developed World

When considering the U.S. gun problem, it is important to compare and contrast with other developed countries to recognize if, in fact, a problem truly exists, and then to understand the best approach for a solution. For this study, 15 developed countries—including the U.S.—were chosen for analysis: Australia, Austria, Canada, Germany, Hong Kong, Ireland, Israel, Japan, Netherlands, New Zealand, Singapore, Sweden, Israel, Switzerland, and the United Kingdom. These countries were chosen to show a wide variety of cultures and geographic areas, with the intention of representing the spectrum of gun laws in the developed world. Every country has unique gun control policies and gun violence statistics. The countries will be analyzed in order of the severity of their gun problem, starting from the least severe and ending with the most. They have been ranked by the total number of annual gun death rate per 100,000 people, starting from the lowest to the highest number on this measurement. Each country's gun data will be presented, their laws will be categorized as either "restrictive" or "permissive," and federal laws will be summarized.

Japan

Statistical Summary

In Japan, the rate of gun deaths per 100,000 people is 0.02 (WHO, 2020). The penalty for illicit firearms possession is 15 years in prison.²⁶ Persons allowed to possess guns are defined as "only licensed gun owners"²⁷ and there are 377,000 privately owned firearms (Alpers, 2020h). The

²⁶ *Juuhou Toukenrui Shojitou Torishimari Hou*, (Firearms and Swords Control Law) art. 31-32 (Law No. 6, 1958).

²⁷ *Id.* art. 5

right to own a gun is not guaranteed by law.²⁸ The total number of legal intervention gun homicides in 2017 was 3 and the number of accidental gun deaths was 3 (WHO, 2020). The number of gun suicides was 10 (WHO, 2020). The country is guided by the Foreign Exchange and Foreign Trade Law,²⁹ the Explosives Control Law of 1950,³⁰ the Gunpowder and Explosives Control Law of 1950,³¹ the Ordnance Manufacturing Law of 1953,³² the Customs Law of 1954,³³ and the Firearms and Swords Control Law of 1958.³⁴ These laws are categorized as “restrictive” (Alpers, 2020h).

Detailed Legal Summary

Broadly, Japan’s gun laws state that the possession (storing and carrying) of guns and gun accessories is limited to certain people, including law enforcement officials—who must leave their guns at their stations when they are no longer on duty and who rarely employ the use of firearms, even when taming riots.³⁵ Additionally, Japan’s law states that the Self-Defense Force, certain public officials, and those who have obtained permission to use guns for a specific purpose can also store and carry guns.³⁶ Persons with permission and a specific purpose include hunters, target shooters, athletes competing in national or international competitions, firearms dealers, manufacturers, firearm exporters, and antique-gun collectors.³⁷

In order to gain permission to own a gun, qualified persons are required to submit an application to the Public Safety Commission, which is Japan’s national police agency, of the area in which they live.³⁸ On the form, they must specify the gun desired and the purpose of its use, and the types of guns available for possession are limited to very specific guns that serve distinct purposes.³⁹ This includes hunting rifles and shotguns for target shooting, hunting, or extermination of harmful birds and animals, guns used in specific businesses, including lifesaving, slaughterhouses, fisheries, and construction, guns for testing or research, and pistols used in international athletic competitions when recommended by a Cabinet order member.⁴⁰

In terms of those allowed to apply for gun possession, many restrictions impose limitations on even submitting the form. People who are prohibited from possessing a gun include persons who are less than 18 years of age (other than specific situations in which youth may be granted permission for professional competition purposes), are considered in a state of bankruptcy, are mentally incapable (either persons who have lost or may lose full mental ability for reasons including mental illness or other health problems), are addicted to alcohol, narcotics, cannabis, opium, or stimulant drugs, are considered feeble-minded, are in a state of homelessness, are still

²⁸ *Id.*

²⁹ *Gaikokukawase Oyobi Gaikokuboueki Hou* (Foreign Exchange and Foreign Trade Law) (Law No. 228, 1949).

³⁰ Explosives Control Law (Law No. 149, 1950).

³¹ Gunpowder and Explosives Control Law (Law No. 149, 1950), as amended by art. 17, para. 1 & art. 50-2. (Law No. 121 of 1999).

³² Ordnance Manufacturing Law (Law No. 145, 1953).

³³ Customs Law (Law No. 61, 1954).

³⁴ *Juuhou Toukenrui Shojitou Torishimari Hou*, (Firearms and Swords Control Law) art. 31-32 (Law No. 6, 1958).

³⁵ *Id.* art 5, para. 1, items 1-18 (as amended by Law No. 72, 2011).

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.* art. 4-2.

³⁹ *Id.* art. 4, para. 1.

⁴⁰ *Id.*

within a license revocation period, are former prisoners released less than five years prior, are former violators of gun laws, have been guilty of stalking and receiving a warning or restraining order, have been given a restraining order under the Domestic Violence Prevention Law due to violence, are known as violent by the Public Safety Commission, can be reasonably expected to harm another's life, body, property, public safety, or can be reasonably expected to commit suicide.⁴¹ Further, if a person's relative lives with the applicant and can be reasonably expected to pose a threat to other persons or to public safety by using a gun or sword, the Public Safety Commission may prohibit the applicant from possession.⁴²

For possession of hunting or air guns, the applicant must attend classes that are held by a local Public Safety Commission and that address the laws and regulations of gun possession, the methods of gun use, and safe storage information.⁴³ They are also required to pass a skills test or complete shooting classes in order to ensure proper knowledge of how to use the firearm.⁴⁴ For possession of rifles, the only type of person that will be granted permission is a professional hunter who will use it to exterminate harmful animals and birds for the protection of their business, or someone who has held a hunting gun permit for over ten years.⁴⁵

The application for a gun permit is lengthy and includes the submissions of thirteen attachments.⁴⁶ This includes photos, medical certificates, a copy of the family register, certifications of class completion, and more.⁴⁷ If the application is approved, the permit is valid for three years with the option to renew every time it expires.⁴⁸ The permit is invalidated if the person does not take possession of the firearm within three months from the day that the permit was obtained, or if the person has lost the firearm.⁴⁹ However, even if the person does not succumb to either of these issues, there are provisions that must be followed for a permit to remain valid. Giving the gun to another person is prohibited,⁵⁰ and so is the carrying or transportation of a gun, unless it is for the permitted use or some other legitimate reason.⁵¹ When transporting a gun for a legal purpose, it must be covered or put in a case and it must be unloaded.⁵² Also, while transporting the gun, the person must carry the permit with them and it is subject to police inspection upon request.⁵³

⁴¹ *Id.* art. 5, para. 1, items 1-18.

⁴² *Id.* art 5, para. 5.

⁴³ *Id.* art. 5-2, para. 1; art. 5-3, paras. 1 & 2

⁴⁴ *Id.* art. 5-2, para. 3, items 3 & 4; art. 5-4; art. 9-5

⁴⁵ *Id.* art. 5-2, para. 4, item.

⁴⁶ *Id.* art. 4-2; Enforcement Ordinance of Law Controlling the Possession of Firearms and Swords (Prime Minister's Office Ordinance No. 16 of 1958) as amended by art. 9-11 (Cabinet Office Ordinance No. 58, 2012).

⁴⁷ *Id.*

⁴⁸ *Juuhou Toukenrui Shojitou Torishimari Hou*, (Firearms and Swords Control Law) art. 7-2. & 7.3. (Law No. 6, 1958).

⁴⁹ *Id.* art. 8, para. 1

⁵⁰ *Id.* arts. 3-13, 10, para. 2.

⁵¹ *Id.* art. 10, para. 1.

⁵² *Id.* art. 24.

⁵³ *Id.* art. 10 paras. 4& 5. 24.

There are specifications for how gun possessors must store guns as well. It must be kept in a gun locker installed in a way that adheres to the standards determined by the Commission.⁵⁴ Ammunition must be kept in a separate locked safe.⁵⁵ Younger gun owners under 18 competing in sport-shooting are required to store their firearm with a licensed adult that has a standard-meeting gun-storage facility.⁵⁶ At any time, the Commission may ask anyone who has a gun license about the storage facility, and may even require an on-site inspection.⁵⁷ Under the authority of the Law Controlling the Possession of Firearms and Swords, Japanese police may conduct a nationwide inspection of owners' weapons and facilities.⁵⁸

When it comes to buying ammunition, gun owners must obtain a separate permit from the Public Safety Commission, as per the Gunpowder and Explosives Control Law, unless the buyer is seeking three hundred or fewer bullets (or fifty, in the case of rifle bullets).⁵⁹ Those who own guns for hunting may not store over eight hundred bullets at a time.⁶⁰

Police have sweeping authority, which means that they essentially have complete authority, over gun possession and, when there exists a reasonable suspicion that someone carrying a gun may be a threat to the life or property of other persons or to public peace, the officer may order the person to produce the gun for inspection.⁶¹ When deemed necessary, they may withhold the gun for five days, unless they find out that it was bought illegally, in which case the gun will be seized.⁶² Further, if there is ever a firearm-related incident that disturbs the public peace, the Public Safety Commission may issue a notice that prohibits or limits the delivery, transport, or carrying of any firearms, even for which a permit has been obtained lawfully.⁶³ This notice can apply to a specific area and period of time and must be approved by the prefecture parliament within seven days of the issue.⁶⁴ The Commission may even order gun owners to hand in their weapons to be kept until the notice expires.⁶⁵

Other specific gun-related accessories are also regulated. For example, airsoft gun possession is prohibited if the kinetic energy of the gun's bullet exceeds 3.4/cm², except in certain circumstances for public officials.⁶⁶ People are also prohibited from possessing imitation guns

⁵⁴ *Id.* art. 10-4; Enforcement Ordinance of Law Controlling the Possession of Firearms and Swords (Prime Minister's Office Ordinance No. 16 of 1958) as amended by art. 84 (Cabinet Office Ordinance No. 58, 2012).

⁵⁵ *Juuhou Toukenrui Shojitou Torishimari Hou*, (Firearms and Swords Control Law) art. 10-4, paras. 3 & 4 (Law No. 6, 1958).

⁵⁶ *Id.* art. 10-5; Enforcement Ordinance of Law Controlling the Possession of Firearms and Swords (Prime Minister's Office Ordinance No. 16 of 1958) as amended by art. 84 (Cabinet Office Ordinance No. 58, 2012).

⁵⁷ *Juuhou Toukenrui Shojitou Torishimari Hou*, (Firearms and Swords Control Law) art. 10-6, para. 1 & 2

⁵⁸ *Id.* art. 13

⁵⁹ Gunpowder and Explosives Control Law (Law No. 149, 1950), as amended by art. 17, para. 1 & art. 50-2. (Law No. 121 of 1999).

⁶⁰ *Id.* art. 11, para. 1.

⁶¹ *Juuhou Toukenrui Shojitou Torishimari Hou*, (Firearms and Swords Control Law) art. 24-2, para. 1 (Law No. 6, 1958).

⁶² *Id.* art. 24-2, para. 2 & 6 – 8.

⁶³ *Id.* art. 26.

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.* art. 21-3.

made of metal that resemble the shape of a real pistol.⁶⁷ Certain gun silencers, magazines, and barrels are also prohibited, even for those that have gun ownership permits.⁶⁸

Hong Kong

Statistical Summary

In Hong Kong, the rate of gun deaths per 100,000 people is 0.03 (WHO, 2020). The country is guided by the Summary Offences Ordinance,⁶⁹ the Firearms and Ammunition Ordinance,⁷⁰ and the Firearms and Ammunition Regulations.⁷¹ Hong Kong's gun laws are categorized as restrictive (Alpers, 2020e). Unlawful possession of firearms is punishable by a \$100,000 fine and/or 14 years in prison.⁷² Persons allowed to possess guns are defined as "only licensed gun owners," there are 265,000 privately owned firearms, and the right to own a gun is not guaranteed by law (Alpers, 2020e). The total number of legal intervention gun homicides in 2017 was 1 and the number of accidental gun deaths was 0 (WHO, 2020). The number of gun suicides was 2 (WHO, 2020).

Detailed Legal Summary

Gun possession in Hong Kong is regulated by the Firearms and Ammunition Ordinance. This law allows the Commissioner of Police to grant licenses for citizens over 18 years old to possess arms and ammunition.⁷³ Under the law, no one is allowed to possess arms or ammunition unless they hold a valid license, they are using it for the protection of certain vessels and aircrafts, or they have been exempt by the Chief Executive or the Police Commissioner, among other specific exemptions.⁷⁴ Those seeking to apply for a license are judged on whether or not there is a valid reason for them to receive a license, whether they are a fit and proper person, and whether it is objectionable for public safety and security to grant the license to the applicant.⁷⁵ The Commissioner may require the applicant to submit additional information in the application process, including testing the applicant's ability to safely use and handle arms or ammunition as well as requiring medical or psychiatric tests.⁷⁶

The Commissioner may also impose certain terms and conditions on the applicant's license, including limiting the number, type, class, or description of arms, or the quantity, type, class, or description of ammunition, as it is seen fit for specific applicants.⁷⁷ Further, the Commissioner must keep a register of each type of license granted, has the right to cancel any for reasons that they deem appropriate, and may refuse to renew a person's license for any reason.⁷⁸ It is prohibited to give possession of arms or ammunition to an unlicensed person and to obtain possession under false pretenses.⁷⁹

⁶⁷ *Id.* art. 22-2.

⁶⁸ *Id.* art 10-7.

⁶⁹ Summary Offences Ordinance (Cap. 228, Law of Hong Kong, 1933).

⁷⁰ Firearms and Ammunition Ordinance (Cap. 238, Laws of Hong Kong, 1981).

⁷¹ Firearms and Ammunition Regulations § 52 (Cap. 238A, Laws of Hong Kong, 1981)

⁷² Firearms and Ammunition Ordinance, art 13, para. 2 (Cap. 238, Laws of Hong Kong, 1981).

⁷³ *Juuhou Toukenrui Shojitou Torishimari Hou*, (Firearms and Swords Control Law) art. 27. (Law No. 6, 1958).

⁷⁴ Firearms and Ammunition Ordinance, art. 5-6 (Cap. 238, Laws of Hong Kong, 1981).

⁷⁵ *Id.* art. 27.

⁷⁶ *Id.* art. 4.

⁷⁷ *Id.* art. 27.

⁷⁸ *Id.*

⁷⁹ *Id.* art. 15.

Other regulations include that no persons are allowed to manufacture, store, sell, or repair arms and ammunition without a “Dealer’s License,” no persons may possess an imitation firearm, and no persons may convert an imitation firearm into an active one.⁸⁰ Certain officers are also permitted to inspect any premises in which arms or ammunition are kept or suspected to be kept by a dealer and examine the goods to make an inventory.⁸¹ If there is reasonable ground to believe that any firearm offences have been committed, certain police officers retain the right to search someone’s premises by force if necessary, stop and search anyone arriving into or departing from Hong Kong, and seize and retain any firearm reasonably suspected to be connected to a firearm-related offence, even without probable cause and a warrant.⁸²

Building on these laws, under the Summary Offences Ordinance, if anyone without a “lawful excuse” negligently sets off an air gun near any type of dwelling, posing danger or annoyance to any other person, they will be subject to receiving a \$500 fine or 3 months in prison.⁸³ Further, if discharging an air gun results in injury to another person, he or she responsible for the injury can be convicted of committing crimes like “Common Assault” or “Wounding.”⁸⁴ Carrying a firearm with intent to harm another person in any way can also be punishable by a fine of \$5,000 or imprisonment for 2 years, even if no harm was actually committed.⁸⁵ Also, anyone who is found drunk and in possession of any firearm and ammunition can be punished by a fine of \$2,000 and 6 months in prison.⁸⁶ Being drunk is defined as someone who has lost control of their faculties “to such an extent as to render [them] unable to handle a firearm safely at the time in question.”⁸⁷ Other specific regulations and exemptions apply.

Singapore

Statistical Summary

In Singapore, the rate of gun deaths per 100,000 people is 0.12 (WHO, 2020). The country is guided by the Arms and Explosives Act of 1913 as amended in 2003⁸⁸ and the Arms Offences Act of 1973 as amended in 2008.⁸⁹ These laws are categorized as restrictive (Alpers, 2020k). The penalty for illicit firearm possession is a minimum of 5 years and up to 10 years in prison, as well as 6 strokes of the cane.⁹⁰ Persons allowed to possess guns are defined as “only licensed gun owners” and there are 20,000 privately owned firearms (Alpers, 2020k). The right to own a gun is not guaranteed by law.⁹¹ The total number of legal intervention gun homicides in 2017 was 4 and the number of accidental gun deaths was 1 (WHO, 2020). The number of gun suicides was 1 (WHO, 2020).

⁸⁰ *Id.* art. 14.

⁸¹ *Id.* art. 38.

⁸² *Id.* art. 40-44.

⁸³ Summary Offences Ordinance, art. 14.(Cap. 228, Laws of Hong Kong, 1933).

⁸⁴ *Id.*

⁸⁵ *Id.* art. 17.

⁸⁶ *Id.* art. 28.

⁸⁷ *Id.*

⁸⁸ Arms and Explosives Act (Cap 13, 2003, RevEd).

⁸⁹ Arms Offences Act (Cap 14, 2008, RevEd).

⁹⁰ *Id.* s (3)1-2.

⁹¹ Arms and Explosives Act (Cap 13, 2003, RevEd) s (13).

Detailed Legal Summary

The Arms and Explosives Act outlines licensing requirements for the possession of weapons in the country. The act stipulates that those who seek to possess, import, export, manufacture, or repair, sell, keep or expose for sale any firearms must hold a valid license, either a long-term license valid for two years or a short-term license valid for 14 days, with exceptions for government and military personnel⁹² (Zhang 2013). An applicant for a firearm license may be refused if the licensing officer deems the applicant not a fit and proper person to hold such a license, or if the license would be contrary to the public interest.⁹³ After being granted a license, the licensing officer may suspend or cancel it and it expires after the specified period. The license is also non-transferrable, but certain exceptions apply.⁹⁴ If the District Court or Magistrate's Court has reason to believe that a person is engaging in illegal arms-related involvements, they reserve the right to search and seize the arms in question.⁹⁵ If a person refuses to comply with search and seizure, they will be sentenced to 2 years in prison and a \$1,000 fine.⁹⁶

Police officers have broad liberty in enforcing this act. They may arrest anyone reasonably believed to be in violation of the Arms and Explosives Act without warrant.⁹⁷ Any person who attempts to violate or abets someone in violating the specifications of the act, and denies doing so, can be punishable for the crime as if they had actually committed it.⁹⁸ Those who inform police officers of violations being committed, and whose information leads to the conviction of a violator, will be awarded half of the fine paid for the crime.⁹⁹ If more than one person comes forward with information, the monetary reward will be divided equally among all informants.¹⁰⁰

Under Singapore's Arms Offences Act, which focuses on strict punishments related to arms, illicit possession of arms or ammunition is punishable by five to ten years in prison and caning with 6 strokes.¹⁰¹ Any arm(s) found on a person's property will be assumed to be under that person's possession, unless they can prove that it belongs to another person.¹⁰² Any person who illicitly carries an arm is punishable by five to 14 years in prison and 6 strokes of the cane.¹⁰³ However, for a person who illicitly possesses or carries an arm and has been previously convicted of a crime the prison sentence may increase to 20 years.¹⁰⁴

Anyone who can be reasonably assumed to have known of the illicit possession or carrying of an arm is punishable by the same sentence as the person who was actually in unlawful possession or illicitly carrying it, unless they can prove that they had reasonable grounds for believing that the

⁹² *Id.*

⁹³ *Id.* s (21F-H).

⁹⁴ *Id.*

⁹⁵ *Id.* s (27).

⁹⁶ *Id.*

⁹⁷ *Id.* s (32).

⁹⁸ *Id.* s (38).

⁹⁹ *Id.* s (41).

¹⁰⁰ *Id.*

¹⁰¹ Arms Offences Act (Cap 14, 2008, RevEd) s (3).

¹⁰² *Id.* s (9).

¹⁰³ *Id.* s (3).

¹⁰⁴ *Id.*

person was not unlawfully carrying or possessing it.¹⁰⁵ Another penalty is that if a person is found in possession of an arm while committing a crime or being apprehended for one, they will receive a life sentence in prison as well as 6 strokes of the cane.¹⁰⁶

If a person attempts to or successfully uses an arm, and no exemptions to the law are applicable to such person, they will automatically be sentenced to death on conviction.¹⁰⁷ It will be assumed, unless proven otherwise, that any person who used an arm in any circumstance had intent to cause physical harm to a person or property.¹⁰⁸ Further, while committing a crime, if any person uses an imitation gun to instill fear, they will be punishable by up to 10 years in prison and 3 strokes of the cane.¹⁰⁹ In the act of committing a crime, if one person involved in the crime was in possession of a gun at the time, regardless of whether it was used or not, any accomplices to the crime who cannot prove that they took every reasonable step to prevent the use of the arm can also be sentenced to death upon conviction.¹¹⁰ Trafficking arms, which includes importing, manufacturing, dealing in, lending, giving, selling, hiring or offering for sale any arm, without a license to do so is punishable by death or a life sentence accompanied by 6 strokes of the cane.¹¹¹

United Kingdom

Statistical Summary

In the UK, the rate of gun deaths per 100,000 people is 0.2. Guiding gun control policy includes the European Council Directive of 18 June 1991,¹¹² the Firearms Act of 1968,¹¹³ the Convention of 1 July 1969 on Reciprocal Recognition of Proofmarks on Small Arms on Control of the Acquisition and Possession of Weapons,¹¹⁴ the Common Position on the Control of Arms Brokering of 2003,¹¹⁵ and the European Union Firearms Regulation of 2012.¹¹⁶ However, the Firearms Act of 1968 is the primary guide, since it imposes more stringent laws than those required by the European Union. The United Kingdom's laws are categorized as restrictive (Alpers, 2020n). The penalty for illicit firearms possession is a minimum of 5 years and a maximum of 10 years in prison (Alpers, 2020n). Persons allowed to possess guns are defined as "only licensed gun owners" with certain exceptions and there are 3.26 million privately owned firearms (Alpers, 2020n; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 1 and the number of accidental gun deaths was 7 (WHO, 2020). The number of gun suicides was 101 (WHO, 2020).

Detailed Legal Summary

¹⁰⁵ *Id.* s (7).

¹⁰⁶ *Id.* s (3).

¹⁰⁷ *Id.* s (4).

¹⁰⁸ *Id.*

¹⁰⁹ *Id.* s (8).

¹¹⁰ *Id.* s (5).

¹¹¹ *Id.* s (6).

¹¹² 91/477/EEC

¹¹³ Firearms Act, 1968, c. 27.

¹¹⁴ 2008/51/EC

¹¹⁵ 2003/468/CFSP

¹¹⁶ 258/2012

The Firearms Act of 1968 is the main piece of gun regulation in the UK and has been amended repeatedly to include over 50 firearm-related offenses in an attempt to control firearm use in the country (Feikert-Ahalt, 2013). The act prohibits the possession, purchase, acquiring, manufacturing, selling, and transferring of prohibited weapons without written authority from the Defence Council or Scottish Ministers, who may attach any conditions they believe are necessary on such authority in ensuring that any weapon or ammunition is secure and that it will not endanger public safety or the peace.¹¹⁷

There are many prohibited weapons in the United Kingdom, including military-style weapons, firearms disguised as other objects, firearms that discharge two or more missiles, self-loading or pump-action rifled guns (other than those chambered for .22 rim-fire cartridges), firearms with barrels less than 30 centimeters in length or less than 60 centimeters overall (certain exceptions apply), smooth-bore revolver guns other than those chambered for 9mm. rim-fire cartridges, rocket launchers or mortars for projecting a stabilized missile, any air rifle, air gun, or air pistol which uses a self-contained gas cartridge system, any weapon designed or adapted for the discharge of any noxious liquid, gas, or other thing, any cartridge with a bullet designed to explode on or immediately before impact, ammunition containing noxious things, and other explosives.¹¹⁸

In order to obtain or possess a firearm, shotgun, or ammunition that is not prohibited by the Firearms Act of 1968, one must hold a certificate; however, certain exemptions apply.¹¹⁹ Those seeking to obtain a certificate must apply to their local chief officer of the police and prove that they are over 18 years of age and that they have a genuine and substantial reason for the possession of each weapon (Feikert-Ahalt, 2013). However, certain individuals are prohibited altogether from obtaining any type of certificate, including people who have been sentenced to any form of custody or detention for three years or more.¹²⁰ Anyone who is sentenced for more than three months but less than three years must wait for 5 years after their date of release to possess firearms or ammunition.¹²¹

For those who are permitted to submit applications, police are expected to conduct reasonable inquiries in order to determine the reason for the applicant's desire to possess a gun, which can include verifying the species present on land for those desiring hunting weapons and verifying that the applicant is a member of a shooting club for those who desire target shooting (Feikert-Ahalt, 2013). Self-defense is deemed insufficient and a certificate is not issued if that is designated as the reason for possession.¹²² Knowingly or recklessly making false statements to obtain a firearm or shotgun certificate is an offense under the Act.¹²³

The application process for a certificate is lengthy and there are two types: shotgun certificates and firearm certificates. Applications for a shotgun certificate must include a completed application form that requires detailed questions about the applicant's firearm and criminal

¹¹⁷ Firearms Act, 1968, c. 27 § 5.

¹¹⁸ *Id.*

¹¹⁹ *Id.* § 8-15.

¹²⁰ *Id.* § 21.

¹²¹ *Id.*

¹²² *Id.* § 38.

¹²³ *Id.* § 28A.

history, four passport-sized photographs and a signed statement by a referee saying that the information provided is accurate (Feikert-Ahalt, 2013). The referee must be a resident in Great Britain who has known the applicant personally for at least two years and who is a “member of Parliament, justice of the peace, minister of religion, doctor, lawyer, established civil servant, bank officer, or person of similar standing.”¹²⁴ The acceptable reasons for owning a shotgun include any reason connected with the applicant’s profession, sport, or recreation, or shooting vermin.¹²⁵ The chief officer of police may grant a shotgun certificate if they are satisfied that the possession of a shotgun by the specified applicant will not pose a danger to public safety or the peace.¹²⁶ They will not be granted if the officer has reason to believe that the applicant is prohibited by the Act from possessing a shotgun, or does not believe that the applicant has a good reason.¹²⁷ Once granted, shotgun certificates may be revoked if the chief officer of police believes that the holder is prohibited by the Act from possession, or if they pose danger to public safety or the peace through such possession.¹²⁸

Applications for a firearm certificate are slightly different, and must include a completed application form, four passport-sized photographs, the names and addresses of two referees who must be residents of Great Britain, considered “of good character,” and who have known the applicant personally for at least two years.¹²⁹ The referees are used to “provide confidential character statements in which they are expected to answer in detail about the applicant’s mental state, home life, and attitude towards guns” (Casciani, 2010). The chief officer may grant a firearm certificate upon satisfaction that the applicant is not prohibited by the Act from possession, is considered fit to be entrusted with one, has good reason for the certificate, and that the possession by the specific applicant does not pose a danger to public safety or the peace.¹³⁰ Once granted, the firearm certificate is valid for 5 years; however, it may be revoked if the person is deemed “a danger to public safety or the peace, of intemperate habits, of unsound mind, unfit to be trusted with a firearm, prohibited under the Firearms Act, or no longer has ‘good reason’ for possession.”¹³¹

For both types of certificates, certain medical requirements apply. Applicants must include a release allowing police to access the applicant’s medical history from their doctor, from which police check for evidence of alcoholism, drug abuse, or personality disorder (Casciani, 2010). Police also retain the right to ask social services for reasons to turn down an applicant. This authority is not regularly used, but rather it is used in cases where there is genuine doubt about the applicant’s medical history that may relate to their suitability for firearm possession and where additional information is required to conduct a final assessment (Feikert-Ahalt, 2013). The ability to check the applicant’s medical history continues throughout the life of the certificate and may be used at any point where concerns arise (Feikert-Ahalt, 2013).

¹²⁴ *Id.* sched. 2.

¹²⁵ *Id.* § 28.

¹²⁶ *Id.*

¹²⁷ *Id.*

¹²⁸ *Id.* § 30.

¹²⁹ *Id.* sched. 2.

¹³⁰ *Id.* § 27.

¹³¹ *Id.* § 27-28.

When a certificate is granted, it details the type and number of weapons that it allows as well as the identification numbers and quantities of ammunition the holder may purchase, acquire, and possess at a given time.¹³² Conditions to the certificate may be imposed by statute as well, depending on the type of gun, and require keeping the weapon and ammunition secured in a safe place where access to unauthorized persons is prevented (Feikert-Ahalt, 2013). Certificate holders must also promptly report any loss or theft to the police (Feikert-Ahalt, 2013). Storage security must meet specific levels specified by British safety standards (Feikert-Ahalt, 2013). Any certificate holder who provides access to their storage facility to any other person will have their license revoked and any holder who is convicted of an offense under the Firearms Act or any crime where a term of imprisonment is imposed may be ordered to forfeit or dispose of any firearm or ammunition held, and may have their certificate cancelled.¹³³ Certificate revocations may be appealed and are dealt with in court.

Netherlands

Statistical Summary

The rate of gun deaths per 100,000 people is 0.42 (WHO, 2020). Guiding gun control legislation in the Netherlands includes the Council Directive of 18 June 1991 on Control of the Acquisition and Possession of Weapons,¹³⁴ the Wet Wapens en Munitie 1997 [Weapons and Ammunition Act],¹³⁵ the Common Position on the Control of Arms Brokering of 2003,¹³⁶ Algemene Douanewet 2008 [General Customs Law],¹³⁷ Besluit Strategische Goederen 2008 [Decree on Strategic Goods],¹³⁸ and the European Union Firearms Regulation of 2012.¹³⁹ These laws are categorized as restrictive (Alpers, 2020i). The penalty for illicit firearms possession is a maximum of 9 months in prison or a fine.¹⁴⁰ Persons allowed to possess guns are defined as “only licensed gun owners” and there are 442,000 privately owned firearms (Alpers, 2020i; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 3 and the number of accidental gun deaths was 1 (WHO, 2020). The number of gun suicides was 41 (WHO, 2020).

Detailed Legal Summary

In the Netherlands, gun regulation is handled by the Wet Wapens en Munitie 1997 [Weapons and Ammunition Act], which stipulates that a license is required in order to possess or trade a weapon.¹⁴¹ There are four types of permits that can be granted: recognition, consent, authorization, and dispensation (Netherlands Enterprise Agency). Recognition permits are for those who intend to engage in commercial dealings related to weapons (valid for 5 years), including the sale, rent, or repair; consent permits are needed for those intending to import, export, or transit weapons (valid for one-time use); authorization permits are needed if the desired activity is to transport a weapon; and dispensation permits grant an “individual exception

¹³² *Id.* § 27.

¹³³ *Id.* § 52.

¹³⁴ 91/477/EEC

¹³⁵ Stb. 1997 292 (10 November 2010).

¹³⁶ 2003/468/CFSP

¹³⁷ Stb. 2008 364 (3 April 2008).

¹³⁸ Stb. 2008 111 (1 August 2008).

¹³⁹ 258/2012

¹⁴⁰ Stb. 1997 292 art. 5 (10 November 2010).

¹⁴¹ Stb. 1997 292 (10 November 2010).

to a statutory prohibition” and must be granted from the Ministry of Justice and Security (Netherlands Enterprise Agency). However, many types of firearms are prohibited altogether, including most semi-automatics, all fully automatic handguns, and magazines of all sizes, as well as all fully automatic firearms.¹⁴²

To receive a license, applicants must meet certain conditions, which depend on the type of weapon that is being applied for (Justis). For all permits, the applicant must be over 18 years old, have a “reasonable interest” in owning a weapon, and there can be no fear of misuse¹⁴³ (Justis). The reasonable interests are limited to hunting, sport shooting, collecting, and participating in shooting clubs (Justis). If there is any reason to doubt whether granting the license is justified, it will not be issued—for example, past criminal history within 8 years of the application date, psychological condition, and other facts and circumstances can be factors in the denial of a license application (Justis). In order to be granted a hunting license, applicants must pass a hunters’ safety course; for target-shooting, applicants must be a member of a club for at least one year prior to owning a gun, and the caliber of gun that they are permitted to own depends on how long a person has been a member (Justis). There are also certain strict rules for the application procedure, including that applicants must be present when the storage facilities are checked, must comply with a mental health examination, and must provide 3 references (Netherlands Enterprise Agency). Based on this information, the police chief will determine whether or not to grant the permit being sought.

Once a permit is granted, strict regulations must be followed—upon failing to follow them, the license can be revoked and the firearms may be seized (Justis). Carrying a gun is only permitted for police officers and private gun owners may not carry guns anywhere accessible by the public.¹⁴⁴ Those seeking to carry guns to and from a shooting club must have on their person the necessary paperwork, the gun must be carried in a secure case, and it must be disassembled (Justis). Individuals may possess a maximum of 5 guns per person and must follow strict regulations for safe storage (Justis). Any violations of the Weapons and Ammunition Act may be punishable by fines and/or jailtime.¹⁴⁵

Ireland

Statistical summary

The rate of annual gun deaths per 100,000 people in Ireland is 0.87 (WHO, 2020). Gun laws include the Firearms Acts 1925,¹⁴⁶ the Firearms (Proofing) Act of 1968,¹⁴⁷ the Firearms (Restricted Firearms and Ammunition) Order 2008,¹⁴⁸ the Act of 2008 on Control of Exports,¹⁴⁹ the Criminal Justice (Miscellaneous Provisions) Act of 2009,¹⁵⁰ the Order of 2009 on Control of Exports (Goods and Technology),¹⁵¹ and the EU-imposed laws. Ireland’s laws are

¹⁴² *Id.*

¹⁴³ *Id.* art. 26.

¹⁴⁴ *Id.* art. 1.

¹⁴⁵ *Id.* art. 12.

¹⁴⁶ Firearms Act 1925, S.I. No.17 of 2015.

¹⁴⁷ Firearms Act of 1968, S.I. No. 20 of 1968.

¹⁴⁸ Firearms Order 2008, S.I. No. 21 of 2008.

¹⁴⁹ Control of Exports Act 2008, S.I. No. 1 of 2008.

¹⁵⁰ Criminal Justice Act, S.I. No. 28 of 2009.

¹⁵¹ Control of Exports Order, S.I. No. 305 of 2009.

categorized as restrictive (Alpers, 2020f). The penalty for illicit firearms possession is 6 years in prison (Alpers, 2020f). Persons allowed to possess guns are defined as “only licensed gun owners” and there are 342,000 privately owned firearms (Alpers, 2020f; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 0 and the number of accidental gun deaths was 1 (WHO, 2020). The number of gun suicides was 30 (WHO, 2020).

Detailed Legal Summary

Ireland’s gun laws require a firearm certificate in order for people to use, carry, and possess a “limited range of hunting and sport-shooting firearms” (Alpers, 2020f). Valid firearm certificates specify the owner, the weapon, and the type and maximum permitted quantity of the ammunition.¹⁵² A police Superintendent can issue certificates for a maximum duration of 3 years, and a Chief Superintendent may issue certificates for restricted firearms for the same duration.¹⁵³ Firearms that can be owned are restricted to a limited range of small-caliber .22 rimfire handguns and .177 air pistols. There exist certificates that may be issued to allow people to carry a firearm publicly; however, no evidence of such permits being issued exists¹⁵⁴ (Alpers, 2020f). Further, the possession and use of imitation firearms in public places is prohibited and dealers in realistic imitation firearms must be registered with the Ministry for Justice, Equality, and Law Reform; their premises must meet certain security standards.¹⁵⁵

In order to be granted a certificate, applicants must be 16 years old, or 14-15 with written consent from a parent or guardian, for whom training certificates for hunting or target shooting may be issued for use only under the supervision of a licensed adult.¹⁵⁶ Applicants must prove ‘good reason’ for ownership and, for the certificate to be issued, the police must be satisfied that granting the certificate would not endanger the public safety, security, or peace.¹⁵⁷ The ‘good reason’ could be target shooting, in which the applicant must belong to an approved rifle or pistol club, or hunting.¹⁵⁸ If applying for a restricted firearm, the applicant must demonstrate not only a good, but also a sufficient reason for needing it and must prove that the weapon requested is the only type of weapon appropriate for said purpose.¹⁵⁹

The application process also requires proof of identification and age, competency with the firearm requested, and secure storage facilities.¹⁶⁰ Applicants must provide written permission for police to consult a doctor, psychiatrist, or psychologist in investigating the applicant’s health, and must also provide the names of two referees who, being connected to the applicant in different ways (i.e. one relative and one friend, not two relatives), are considered “of good character” and can attest to the applicant’s character.¹⁶¹ Any applicant who is known to exhibit “intemperate habits,” is deemed of having an “unsound mind,” has been convicted of a crime and

¹⁵² Criminal Justice Act, S.I. No. 28 of 2009, s. 3.

¹⁵³ *Id.* s. 30.

¹⁵⁴ Firearms Act 1925, S.I. No.17 of 2015, s. 2.

¹⁵⁵ Criminal Justice Act, S.I. No. 28 of 2009, s. 40.

¹⁵⁶ Firearms Act 1925, S.I. No.17 of 2015, s. 25.

¹⁵⁷ Criminal Justice Act, S.I. No. 28 of 2009, s. 32.

¹⁵⁸ *Id.*

¹⁵⁹ *Id.*

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

sentenced to prison for more than three months and whose term has not expired or has expired within less than 5 years, and anyone who is bound to maintaining peace by recognizance are prohibited from owning firearms and will be rejected from certificate applications.¹⁶²

Ireland's law specifies certain weapons that are prohibited altogether, including automatic firearms and their ammunition, military-style semi-automatic firearms, and semi-automatic firearms that resemble automatic ones.¹⁶³ Shotguns with magazine capacities of more than three cartridges, long guns over .308 caliber, rimfire rifles that hold more than 10 rounds, all non-air-operated 4.55mm handguns, and other specific firearms are included under such restrictions.¹⁶⁴

Gun owners are required to report lost or stolen firearms to a police officer within three days of becoming aware of said loss and their facilities must meet certain minimal security requirements.¹⁶⁵ Any unrecorded transfer of a firearm is prohibited, every firearm must be marked with an identification number that matches the certificate, and, when asked in writing to do so, gun owners must produce a firearm for inspection and ballistic testing.¹⁶⁶ Penalties under the Criminal Justice Act range from mandatory minimum sentences of 5 years in prison for carrying a gun or ammunition, to between 10 years and a life sentence for those who commit gun violence.¹⁶⁷ A court may order the destruction of all weapons and ammunition involved in committing a Firearms Act violation as well as the revocation of any firearm certificate held.¹⁶⁸

Australia

Statistical Summary

Australia's rate of gun deaths per 100,000 people is 0.88 (WHO, 2020). Guiding policy includes the National Firearms Agreement (NFA) of 1996 and 2017,¹⁶⁹ the National Firearms Trafficking Policy Agreement (NFTPA) 2002,¹⁷⁰ the National Handgun Agreement (NHA) 2002,¹⁷¹ and the Firearms Acts and Regulations of each State and Territory. These laws are categorized as restrictive (Alpers, 2020a). The penalty for illicit firearms possession is a maximum of 20 years in prison (Alpers, 2020a). Persons allowed to possess guns are defined as "only licensed gun owners" and there are 3.15 million privately owned firearms (Alpers, 2020a; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 6 and the number of accidental gun deaths was 1 (WHO, 2020). The number of gun suicides was 169 (WHO, 2020).

Detailed Legal Summary

Australia's gun laws ban the sale, resale, transfer, possession, manufacture, and use of semi-automatic long arms and pump action shotguns, with certain exemptions, and restrict the

¹⁶² Firearms Act 1925, S.I. No.17 of 2015, s. 8.

¹⁶³ 91/477/EEC Annex 1.

¹⁶⁴ *Id.*

¹⁶⁵ Criminal Justice Act, S.I. No. 28 of 2009, s. 34.

¹⁶⁶ *Id.* s. 47.

¹⁶⁷ *Id.* s 49.

¹⁶⁸ Firearms Act 1925, S.I. No.17 of 2015, s. 23(1).

¹⁶⁹ National Firearms Agreement 1996 (Cth); National Firearms Agreement 2017 (Cth).

¹⁷⁰ National Firearms Trafficking Policy Agreement 2002 (Cth).

¹⁷¹ National Handgun Agreement 2002 (Cth).

importation, possession, and use of handguns for sporting purposes and other shooting events.¹⁷² To acquire, possess, or use a firearm, individuals must demonstrate a genuine reason, which includes sport shooters, recreational shooters and hunters, primary producers, those who require guns for their occupations, security employees, collectors, firearm dealers, firearm manufacturers, and film or theatrical armors.¹⁷³ Personal protection is not a genuine reason for applying for a license.¹⁷⁴

There are 5 different types of licenses that cover different types of firearms and, on top of having a genuine reason for the license, applicants must be over 18 years of age, be considered “a fit and proper person,” be able to prove identity, pass a storage facility inspection, and go through adequate firearm safety training.¹⁷⁵ Applicants must be able to demonstrate a need for the particular type of firearm desired.¹⁷⁶ License granting requires having a photograph of the holder, specifying the category of the permitted firearm, being granted in less than 28 days after application, be valid for no more than 5 years, exhibiting a reminder of safe storage responsibilities, and providing details of proposed storage provisions at the time of licensing.¹⁷⁷ For every desired new firearm, a new license must be obtained.¹⁷⁸

A license application may be rejected, granted licenses may be cancelled, and firearms may be seized if the applicant or holder is deemed “not of good character,” convicted for a violent offence within 5 years, has inadequate storage security, was responsible for loss or theft of firearms due to negligence, no longer has a genuine reason, has been served a restraining order, or has been served a Domestic Violence Order, among other conditions.¹⁷⁹ Certain types of firearms are semi-prohibited, with only government agencies, occupational shooters, and primary producers being allowed to possess them, including all self-loading centrefire rifles, pump-action or lever-action shotguns with a magazine capacity of over 5 rounds, and semi-automatic rimfire rifles over 10 rounds.¹⁸⁰

Once a license has been obtained, the licensee must follow certain specific storage requirements depending on the type of license. For Category A and B licenses, which cover the most common types of guns used by hunters and target shooters, basic standards for storage include having a locked receptacle made either of hard wood or steel thick enough to make it not easily penetrable with sturdily-constructed locks¹⁸¹ (Field & Game). Receptacles that weigh less than 150 kilograms must be fixed to the frame of a floor or a wall so that it cannot be easily removed.¹⁸² For Category C, D, and H firearms, which cover firearms that are more strictly restricted, storage specifications require a locked, steel safe thick enough not to be easily penetrable, that is bolted

¹⁷² National Firearms Agreement 2017 (Cth).

¹⁷³ *Id.* ss. 13-23.

¹⁷⁴ *Id.* s. 10.

¹⁷⁵ *Id.* ss. 32-33

¹⁷⁶ *Id.* s. 11.

¹⁷⁷ *Id.* s. 34.

¹⁷⁸ *Id.* s. 41.

¹⁷⁹ *Id.* s. 38.

¹⁸⁰ *Id.* s. 6.

¹⁸¹ *Id.* s. 44.

¹⁸² *Id.*

to the structure of a building.¹⁸³ Further, ammunition must be stored in locked containers separate from firearms.¹⁸⁴

Germany

Statistical Summary

Germany's rate of gun deaths per 100,000 people is 1.05 (WHO, 2020). Guiding gun control legislation includes Kriegswaffenkontrollgesetz, Article 26 of the Basic Law (War Weapons Control Act),¹⁸⁵ the Weapons Act of 2002,¹⁸⁶ and EU-required laws. Germany's laws are categorized as restrictive (Alpers, 2020d). The penalty for illicit firearms possession is 10 years in prison.¹⁸⁷ Persons allowed to possess guns are defined as "only licensed gun owners" and there are 25.9 million privately owned firearms (Alpers, 2020d; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 4 and the number of accidental gun deaths was 6 (WHO, 2020). The number of gun suicides was 736 (WHO, 2020).

Detailed Legal Summary

Under the War Weapons Control Act, it is illegal to possess or use any war weapons, including all fully automatic or semi-automatic rifles, machine guns (other than antiques from before World War II), pump-action shotguns, and any barrels or breeches used for the specified weapons.¹⁸⁸ It is illegal to acquire, own, carry, use, manufacture, repair, trade, or engage in dealings relating to weapons or ammunition without a valid license; however, certain exceptions apply.¹⁸⁹ In order to own a gun in Germany, applicants must be at least 18 years old, be considered "reliable," be considered of necessary "personal aptitude," be able to demonstrate "specialized knowledge," be able to prove a "need," and have liability insurance for personal injury and property damage that covers a minimum of €1 million.¹⁹⁰ Individuals under the age of 18 may handle weapons as part of an apprenticeship or employment relationship under the supervision of a person authorized to issue weapon use instructions, and exceptions to age requirements may apply if there are "special reasons" and public interests do not conflict with the use.¹⁹¹

Applicants are considered unreliable or lacking personal aptitude if they have been convicted of a crime within ten years of the application date, there is reason to believe they will use a weapon recklessly, they have held membership at a banned or unconstitutional organization, they have been involved in activities deemed threatening to Germany's foreign interests, they have been taken into protective custody more than once in the last five years, they are involved in alcohol or drug abuse, or if they are mentally ill (Knight, 2020). For applicants under 25 applying for

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ Art. 26(2) GG.

¹⁸⁶ § 362 BGBI

¹⁸⁷ *Id.* Abs. 51(1) & 52(1).

¹⁸⁸ Art. 26(2) GG. Abs. 40.

¹⁸⁹ § 362 Abs. 1 & 12 BGBI

¹⁹⁰ *Id.* Abs. 1

¹⁹¹ *Id.* Abs. 3.

their first license, they must provide a certificate of mental aptitude from a public health officer or psychologist.¹⁹²

To prove “specialized knowledge,” applicants must pass an examination or have undergone specific trainings before they can own a gun.¹⁹³ The state conducts examinations that cover legal and technical aspects of firearms, safe handling, and shooting skills.¹⁹⁴ Other examinations can satisfy this criteria, including hunting license examinations, gunsmith’s trade examinations, officially-recognized shooting association testing, certain training courses that end in examination or full-time employment in gun or arms trade for three years or more.¹⁹⁵ Further, to demonstrate the need for a firearm, applicants must have “personal or economic interests meriting special recognition,” which applies to hunters, traditional and regular marksmen, collectors, weapons or ammunition experts, endangered persons, weapons manufacturers, weapons dealers, or security firms.¹⁹⁶

Licensed gun owners must maintain storage requirements, including keeping weapons locked away and adhering to specifications of storage container quality, which varies according to the potency of the weapons.¹⁹⁷ Owners must inform authorities of the safe-storage measures taken and must allow authorities to enter their dwellings for monitoring compliance—access that must be granted even without a search warrant, unless the owner has some “good reason” for refusing entry.¹⁹⁸ Random inspections are held regularly and must be conducted whenever probable cause or suspicion exists (Palmer, 2013a).

For licensed gun owners, a weapons possession card allows the transportation of a firearm, which requires that, if taken out in public, the firearm must be unloaded and in a locked case (Knight, 2020). However, there are no provisions stipulating whether a gun must be concealed or can be loaded in public or not (Knight, 2020). There are two types of carry permits: firearms carry permits and minor firearms carry permits (Knight, 2020). Firearms carry permits cannot be obtained without completing safety classes and proficiency tests, and are only issued to persons that exhibit a specific need for carrying, including private security and those living under heightened levels of threat.¹⁹⁹ Those who hold valid hunting licenses do not need this permit while hunting nor while traveling directly to and from the site of the hunting activity.²⁰⁰ Minor firearms permits are easier to obtain and are needed to carry lower-powered weapons, including air guns, starting pistols, flare guns, or “anything that can only shoot blanks or irritants” (Knight, 2020).

Other gun regulations include that it is unlawful to use magazines that can hold more than 10 rounds of ammunition when shooting with long weapons; however, it is not illegal to purchase them (Knight, 2020). Any license can be revoked in the event that it has been brought to light

¹⁹² *Id.* Abs. 6.

¹⁹³ *Id.* Abs. 7.

¹⁹⁴ *Id.*

¹⁹⁵ *Id.*

¹⁹⁶ *Id.* Abs. 8.

¹⁹⁷ *Id.* Abs. 36.

¹⁹⁸ *Id.*

¹⁹⁹ *Id.* Abs. 10.

²⁰⁰ *Id.* Abs. 12.

that there was some reason for it to have been refused in the first place, if the need has been lost, or other circumstances arise that change the holder's status as it relates to their license.²⁰¹ Firearms may be confiscated if they were used or intended to be used in committing a crime.²⁰² There are other specific restrictions, penalties, and prohibition outlined in the Weapons Act of 2002. For those above 18 years old, a license is not required to own a single shot-shot percussion firearm that was developed before January 1871, or to own and carry any muzzle-loader with a flintlock or earlier design.²⁰³

New Zealand

Statistical Summary

The rate of gun deaths in New Zealand per 100,000 people is 1.24 (WHO, 2020). Guiding gun control legislation in New Zealand includes the Arms Act 1983,²⁰⁴ the Arms Amendment Act 1992,²⁰⁵ the Arms Regulations 1992,²⁰⁶ the Customs Export Prohibition Order of 2017,²⁰⁷ and the Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019.²⁰⁸ These laws are categorized as restrictive (Alpers, 2020j). The penalty for illicit firearms possession is 3 months – 3 years in prison and/or a fine.²⁰⁹ Persons allowed to possess guns are defined as “only licensed gun owners” (Alpers, 2020j). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 2 and the number of accidental gun deaths was 6 (WHO, 2020). The number of gun suicides was 41 (WHO, 2020).

Detailed Legal Summary

In New Zealand, where there is a strong gun activity culture, certain firearms are prohibited altogether, while others may be owned with a license. Prohibited guns include all semi-automatic firearms (other than rimfire rifles of .22 caliber or less with a magazine of 10 rounds or less) and semi-automatic shotguns that have a non-detachable, tubular magazine that holds 5 rounds or less (New Zealand Police, 2020b). Pump action shotguns that are capable of being used with a detachable magazine or have a non-detachable tubular magazine that holds more than 5 rounds are also prohibited (New Zealand Police, 2020c). It is possible to possess a prohibited firearm if a person meets certain exemptions and has applied for and obtained an endorsement for it. New Zealand gun law also prohibits certain specific magazines and parts that accompany prohibit firearms, as well as bump stocks used to convert guns into military-style weapons (Klug, 2019).

In New Zealand, citizens aged 16 years or over can apply for a firearms license, which allows the unsupervised use of shotguns, rifles, air guns, and “specially” dangerous air guns. At age 18 or over, individuals do not need a license to own an air gun (New Zealand Police, 2020d). Licenses are required for collectors and dealers. Anyone can use a Category A firearm (a firearm that does not need an endorsement) without a license as long as they are under the immediate supervision of a license holder (New Zealand Police, 2020d). Anyone can use pistols on the range of an

²⁰¹ *Id.* Abs. 45.

²⁰² *Id.* Abs. 54.

²⁰³ *Id.* Abs. 27.

²⁰⁴ Arms Act 1983 (No. 44).

²⁰⁵ Arms Amendment Act 1992 (No 95).

²⁰⁶ Arms Regulations 1992 (SR. 1995/364).

²⁰⁷ Customs Export Prohibition Order 2017 (LI 2017/213).

²⁰⁸ Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019, s. 75.

²⁰⁹ Arms Act 1983, s. 20.

incorporated pistol club recognized by the Commissioner of Police and under the immediate supervision of a license holder who has a specific addition to their license for that purpose (New Zealand Police, 2020d). In this case, the license holder must be within reach and able to control the firearm, and must not be using another firearm at the same time (New Zealand Police, 2020d). Licenses expire after 10 years.²¹⁰ Applicants are not legally required to establish a genuine reason for Category A licenses; however, specific reasoning is required for endorsements, which are necessary to obtain for those who want to possess pistols and restricted firearms. Owning a firearm specifically for self-defense is prohibited.²¹¹

To apply for a license, individuals must submit an application form that includes the names of two people who can verify the applicant's suitability to possess and use firearms and two passport photos in color (New Zealand Police, 2020d). Police will then conduct a background check to verify whether the applicant is a fit and proper person to possess firearms or air guns (New Zealand Police, 2020d). If the applicant is applying for their first firearms license, they must complete the Firearms Safety Course in order to obtain a license, unless they have previously completed the test (New Zealand Police, 2020a). Existing or previous license holders applying for a new firearms license must either complete a firearms safety test or be instructed to take the Firearms Safety Course (New Zealand Police, 2020a).

To complete the firearms safety program, applicants must be thoroughly versed in the Arms Code, which specifies seven firearms safety rules: "treat every firearm as loaded, always point firearms in a safe direction, load a firearm only when ready to fire, identify your target beyond all doubt, check your firing zone, store firearms and ammunition safely, avoid both alcohol and drugs when handling firearms" (New Zealand Police, 2020e). The next step in the application process includes police interviews, whereby police arrange a visit to interview the applicant and check the security arrangements, interview the referees, and complete any remaining enquiries (New Zealand Police, 2020d).

Before being issued a license, and throughout the time that an individual holds a permit, certain specific storage requirements must be adhered to (New Zealand Police, 2018). Firearms must not be stored where young children can readily access them and the holder must store ammunition in a way that, if someone accesses the firearm, they cannot also access the ammunition or, if they are stored together, the firearm is not capable of being discharged (New Zealand Police, 2018). The holder must take reasonable steps to prevent theft and, if the firearm owned is a "humane killer," a "stock marking pistol," or a flare pistol, it must be kept in a locked container, except for when it is under the person's immediate and personal supervision (New Zealand Police, 2018). When assessing storage, police will look at the materials used, the method of construction, and how the storage, rack, safe, box, or cabinet is anchored to the structure in determining whether any improvements must be made prior to granting the license (New Zealand Police, 2018).

Other regulations stipulate that guns are prohibited from being carried openly and in a concealed manner in public.²¹² Strict penalties are in place for violating firearms-related laws, including 7 years of imprisonment for presenting a prohibited firearm at another person, carrying a

²¹⁰ Arms Act 1983, s. 25.

²¹¹ Arms Regulation 1992, ss. 22 & 30.

²¹² *Id.* ss. 36, 45, & 51

prohibited firearm with criminal intent, or the unlawful carrying or possession of a prohibited firearm in a public place, among others (New Zealand Police, 2020c).

Sweden

Statistical Summary

The rate of gun deaths in Sweden per 100,000 people is 1.31 (WHO, 2020). Guiding gun control legislation in Sweden includes the Military Equipment Act (Lag om Krigsmateriel) 1992,²¹³ the Weapons Act (Vapenlagen) 1996,²¹⁴ the Weapons Ordinance (Vapenförordningen) 1996,²¹⁵ and EU-required laws. Gun regulations are usually defaulted to EU laws, since Sweden has not implemented additional regulations. Sweden's laws are categorized as restrictive (Alpers, 2020l). The penalty for illicit firearms possession is 4 years in prison.²¹⁶ Persons allowed to possess guns are defined as “only licensed gun owners” and there are 1.5 million privately owned firearms (Alpers, 2020l; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 3 and the number of accidental gun deaths was 1 (WHO, 2020). The number of gun suicides was 95 (WHO, 2020).

Detailed Legal Summary

In order to lawfully own a gun in Sweden, individuals must hold a license. However, weapons laws do not apply to air guns and guns with a projectile energy of less than 10 joules (Sampson, 2015). These weapons are considered minor and can be purchased by anyone over 18 years old (Sampson, 2015). To apply for a license for pistols, rifles, and long arm guns, individuals must be over 18 years old, must be deemed not likely to be a “danger to themselves, to public order, or to public safety” (whereby having been convicted of a violent crime is considered an indication of danger), and must establish a genuine reason to possess a gun, including hunting, target shooting, and collection.²¹⁷ Self-defense, under the law, is technically a valid reason; however, no licenses are ever granted for this purpose (Lakomaa, 2014). Applicants must pass a background check that verifies criminal and mental health records as well as a must either take and pass a year-long theoretical and/or practical training course test that evaluates understanding of firearm safety of the law, or have been members of a hunting or shooting club for over six months (Alpers, 2020; Lakomaa, 2014).

Firearms law in Sweden restrict the number of guns a license grants to one per license, and gun owners are only allowed to purchase ammunition suitable for the type of gun they are licensed to own²¹⁸ (Lakomaa, 2014). However, it is possible to own up to six hunting rifles, ten pistols, or a combination of eight rifles and pistols with specific licenses for valid reasons (Sampson, 2015). License holders must also follow specific storage requirements, including that the gun safe must weigh 150kg or be bolted to a floor or a wall and the key to the safe must be kept away from unauthorized individuals (Lakomaa, 2014). Other regulations for specific guns, including guns that can be “of criminal interest,” are subject to stricter storage requirements (Sampson, 2015). Failure to comply with the regulations can lead to the revocation of the license (Lakomaa, 2014).

²¹³ SFS: 1992: 1300

²¹⁴ SFS no : 1996: 67

²¹⁵ SFS no: 1996: 70

²¹⁶ SFS no: 1996: 67 9(1) §

²¹⁷ 91/477/EEC art. 5.

²¹⁸ *Id.* art. 10

License holders must have the weapons license on their person while transporting their firearm to and from the destination where it will be used (Polisen). However, exceptions apply to hunters or target shooters, who may carry their certified hunting license or membership card instead (Polisen). Further, when borrowing a weapon from someone else, an individual must have with them a license in their name for the type of weapon being used and a certificate or proof that they have been granted permission to borrow the weapon (Polisen). If the license is revoked for any reason, the weapon and the license must be submitted to the police or sold (with police permission) within three months. Under Swedish law, it is permitted for a license holder to lend his or her gun to a person 15 years or older under supervision (Sampson, 2015). Further, it is illegal to carry a firearm in public, unless it is for a specific purpose, and, in order to lawfully transport firearms, the gun must be unloaded, hidden, and transported safely and securely under supervision of the owner (Sampson, 2015).

Individuals are not allowed to possess any automatic firearms, firearms disguised as other objects, nor armor-piercing, incendiary, and expanding ammunition.²¹⁹ In order to privately possess semi-automatic assault weapons, special authorization is required.²²⁰

Israel

Statistical Summary

The rate of gun deaths in Israel per 100,000 people is 1.38 (WHO, 2020). Guiding gun control legislation in Israel includes the Criminal Code Ordinance of 1936,²²¹ the Defence (Emergency) Regulations of 1945,²²² and the Firearms Law of 1949.²²³ The penalty for illicit firearms possession is a maximum of 10 years in prison (Alpers, 2020g). These laws are categorized as restrictive (Alpers, 2020g). Persons allowed to possess guns are defined as “only licensed gun owners” and there are 557,000 privately owned firearms (Alpers, 2020g; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention homicides in 2015 was 3 and the number of accidental gun deaths was 0 (WHO, 2020). The number of gun suicides was 35 (WHO, 2020).

Legal Summary

The Minister of Interior and the Minister of Defense are the licensing authorities in Israel who are permitted to issue licenses to certain specific people.²²⁴ This includes the leader of a community to protect its people and property, the owner of an eligible establishment to protect the premises and people, and employees designated by a Minister for security purposes, the producers of a film or a play or people authorized by the producers to carry a licensed firearm during a performance, holders of guard or private investigator licenses, and escorts for field trips or camping trips.²²⁵

²¹⁹ 91/477/EEC art. 6 & annex. 1

²²⁰ *Id.* art. 7 & 8.

²²¹ Criminal Code Ordinance, 1936

²²² Defence (Emergency) Regulations, 1945

²²³ Firearms Law, 1949

²²⁴ Firearms Law, 1949 § 5A.

²²⁵ *Id.* § 10D.

In order to be granted a license, applicants must establish a genuine reason to possess a gun, including self-defense, hunting, and sport (Harkov, 2016). Individuals must be 27, or 21 if they served in the military, and can be under 21 for certain exceptional circumstances, including receiving instruction for sport shooting, target practice, or competition (Harkov, 2016). Mental health, drug dependency, criminal record, and competency are all considered when reviewing an application.²²⁶ The amount of ammunition that a gun license holder can acquire or purchase is also limited (Alpers, 2020g).

The Firearms Law requires that the firearm be approved as suitable for use prior to the issuance of a license and the individual obtaining the license must prove that they have proper training to use the specific firearm they desire to acquire or possess.²²⁷ Certificates of training are required for the granting and renewal of firearms licenses and are granted based on a theoretical and practical examination.²²⁸ Someone who desires to possess multiple types of firearms must go through training for each one.²²⁹ Shooting ranges and supervisors must also be licensed, and there are age restrictions on the admission of trainees into all shooting ranges, who must also be given recommendations from “appropriate” associations, such as sport associations, for training in specific types of firearms.²³⁰

Physicians, psychologists, mental health officers, and social workers must file reports with the Manager of the Ministry of Health regarding patients under their care who would be a danger to themselves or the public if they had access to a firearm.²³¹ License applications are forwarded by licensing officials to the Manager who then informs them of any records of mental health problems.²³² This information is considered in the review of license applications.

Someone who carries a firearm must carry their license on their person at all times and police may require that the person present documentation at any time.²³³ After the license passes its 3-year validity period and is not renewed, anyone who possesses a licensed firearm must drop it off at the police station nearest to his/her home or occupation. Firearms may be seized if they are suspected of being involved in the perpetration of offenses, and the law imposes double penalties for anyone who commits offenses with the use of firearms.²³⁴ Individuals may have their licenses revoked and/or be deemed ineligible to apply for a license for a specified period of time if they are convicted by a court for a violent offense.²³⁵

Israel requires military participation and soldiers are given guns to use to serve; however, soldiers do not take their guns on home leave, except for in certain circumstances, which are strictly regulated by the Israeli Defense Force.²³⁶

²²⁶ *Id.* § 5C, 11A, & 11B

²²⁷ *Id.* § 5A.

²²⁸ Firearms Regulations (Training for the Grant and Renewal of a License) 5752-1992 p. 668.

²²⁹ Firearms Law, 1949 § 5C.

²³⁰ *Id.* § 7, 7A1, 7C.

²³¹ *Id.* § 11A.

²³² *Id.* § 11B.

²³³ *Id.* § 13.

²³⁴ *Id.* § 17.

²³⁵ *Id.* § 18 & 18A.

²³⁶ IDF Central Command Order No. 2.0101, Duty for Carrying and Safeguarding Personal Weapons, 1986, § 5

Canada

Statistical Summary

The rate of gun deaths in Canada per 100,000 people is 1.94 (WHO, 2020). Guiding gun control legislation in Canada includes the Criminal Code of 1985,²³⁷ the United Nations Act of 1985,²³⁸ the Firearms Act of 1995,²³⁹ the Authorizations to Transport Restricted and Prohibited Firearms Regulations 1998,²⁴⁰ the Firearms Records Regulations 1998,²⁴¹ the Firearms Licences Regulations 1998,²⁴² the Conditions of Transferring Firearms Regulations 1998,²⁴³ and the Firearms Marking Regulations 2004.²⁴⁴ Canada's laws are categorized as restrictive (Alpers, 2020c). The penalty for illicit firearms possession is 5-10 years in prison.²⁴⁵ Persons allowed to possess guns are defined as "only licensed gun owners" and there are 12.7 million privately owned firearms (Alpers, 2020c; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 9 and the number of accidental gun deaths was 5 (WHO, 2020). The number of gun suicides was 525 (WHO, 2020).

Detailed Legal Summary

There are three categories of firearms in Canada: non-restricted, restricted, and prohibited (RCMP, 2019a). Non-restricted guns are standard rifles and shotguns that do not fall in either of the other categories, and restricted guns are classified as non-prohibited handguns, firearms with a barrel less than 470mm long, firearms that are capable of discharging center-fire ammunition in a semi-automatic manner, firearms that are designed or adapted to be fired when reduced to less than 660mm long by folding, telescoping, or otherwise, or any other firearms deemed restricted in the Regulations (RCMP, 2019a). Prohibited guns include handguns with a barrel equal to or less than 105mm long, handguns that discharge a 25 or 32 caliber cartridge (not including handguns for international sporting competitions), firearms adapted from a rifle or shotgun that are less than 660mm in length or 660mm long with a barrel less than 457mm long, all automatic firearms, 1500 variations of military-style weapons, and any other firearms deemed prohibited by the Regulations (RCMP, 2019a).

In order to lawfully possess and acquire guns, Canadians must hold a valid Possession and Acquisition Licence (PAL). The requirements for applying include being at least 18 years old and meeting certain criteria, including previous criminal history, as well as other checks (RCMP, 2019b). Those seeking to acquire a license for non-restricted firearms must pass Canadian Firearms Safety Course tests and those applying for restricted firearms must also pass the Canadian Restricted Firearms Safety Course tests in addition (Ahmad, 2013). There is another type of license, called a Possession-Only License (POL), which allows individuals to borrow firearms of the same class as the ones the individual already owns; however, as of 2001, new POLs cannot be issued, although existing ones can be renewed (Ahmad, 2013).

²³⁷ *Criminal Code*, RSC, 1985, c. 46.

²³⁸ *United Nations Act*, RSC, 1985, c. U-2

²³⁹ *Firearms Act*, SC, 1995, c. 39.

²⁴⁰ *Authorizations to Transport Restricted and Prohibited Firearms Regulations*, SOR/98-206..

²⁴¹ *Firearms Records Regulations*, SOR/98-213.

²⁴² *Firearms Licences Regulations*, SOR/98-199.

²⁴³ *Conditions of Transferring Firearms Regulations*, SOR/98-202.

²⁴⁴ *Firearms Marking Regulations*, SOR/2004-275.

²⁴⁵ *Id.* s. 91-92.

PALs can be issued for a firearm of any class (non-restricted, restricted, and prohibited); however, there are very strict requirements for those seeking to possess restricted and prohibited firearms (RCMP, 2019a). These types of firearms must be possessed in the holder's residence or somewhere authorized by a chief firearms officer and can only be used and transported under very strict and specific circumstances, such as target practice, for example.²⁴⁶ The owner must hold a registration certificate for these types of firearms and they must be registered with the Royal Canadian Mounted Police, unlike non-restricted firearms, which do not have to be registered.²⁴⁷

Minors aged 12-17 desiring a license can obtain a minor's license, which allows them to possess a "non-restricted rifle or shotgun, but a licensed adult must be responsible for the firearm."²⁴⁸ Applying for this license also requires completing the Canadian Firearms Safety Course tests. Further, individuals can rarely carry restricted firearms or prohibited handguns, whether concealed or unconcealed, and an Authorization to Carry permit is required for accepted circumstances.²⁴⁹ Acceptable reasons include use in connection with a lawful profession or occupation and protecting life.²⁵⁰ Anyone in possession of a firearm, even if they are not the owner or user, must hold a license (RCMP, 2019c). Licenses must be renewed after five years and holders are not required to prove training to renew a license for a PAL with the same privileges; however, those seeking new privileges must prove that they completed training for the specific type of license they are now asking for (RCMP, 2019c).

In evaluating whether or not an applicant will be granted a license, thorough criminal and psychiatric checks must be passed—background checks consider criminal, mental, addiction, and domestic violence records (Alpers, 2020c). Authorities must also consider if, within the past five years, the applicant has been treated for a mental illness, whether the person was confined to an institution because of associations with violence, or has a history of behavior that includes violence or threatened or attempted violence against any person.²⁵¹ Character references are also required to be submitted in the application process (RCMP, 2019b). All gun license holders are reviewed on an ongoing bases and are flagged if new information affecting their fitness to possess and use a gun arises (Alpers, 2020c).

There are specific regulations for storing, transporting, and displaying firearms for licensed owners as well. When stored, all firearms must be unloaded; non-restricted firearms must be secured with a locking device that prevents the firearm from being fired, or must be locked in a cabinet, container, or room that is difficult to break into (RCMP, 2019d). Restricted and prohibited firearms must be locked in a cabinet, container, room, or in a vault or safe built specifically to store firearms safely (RCMP, 2019d). Non-restricted firearms must be unloaded during transportation, and restricted and prohibited firearms must be unloaded and secured with locking devices in a sturdy, non-transparent container while transported (RCMP, 2019d).

²⁴⁶ *Firearms Act*, SC, 1995, c. 39, s. 17.

²⁴⁷ *Id.* s. 12.

²⁴⁸ *Id.* s. 8.

²⁴⁹ *Id.* s. 20.

²⁵⁰ *Id.*

²⁵¹ *Id.* s. 5.

Criminal sanctions apply to those who use imitation firearms in the commission of an offense, those who carelessly use firearms in general, anyone who points a firearm, license holders that store their firearms improperly, and people who fail to report lost or found firearms, among others.²⁵²

Austria

Statistical Summary

In Austria, the rate of gun deaths per 100,000 people is 2.75 (WHO, 2020). Gun policies in Austria include the Gun Act (Waffengesetz) of 1996,²⁵³ the War Material Act (Kriegsmaterialgesetz) 1996,²⁵⁴ the Trade and Industrial Code (Gewerbeordnung) of 2002,²⁵⁵ the Foreign Trade Act (Außenwirtschaftsgesetz) 2011,²⁵⁶ and EU-required laws. Austria's laws are categorized as permissive (Alpers, 2020b). Illicit possession can result in imprisonment of up to 3 years.²⁵⁷ Persons allowed to possess guns are defined as “only licensed gun owners” and there are 2.57 million privately owned firearms (Alpers, 2020b; WHO, 2020). The right to own a gun is not guaranteed by law. The total number of legal intervention gun homicides in 2017 was 1 and the number of accidental gun deaths was 1 (WHO, 2020). The number of gun suicides was 213 (WHO, 2020).

Legal Summary

Austrian gun laws are considered the most relaxed of all countries in the European Union (Boulden, 2015). Firearms in Austria are divided into 4 categories: Category A (fully automatic weapons and semi-automatic weapons considered to be military weapons), Category B (including semi-automatic long weapons and shotguns), Category C (certain rifles and break action guns), and Category D (non-repeating shotguns) (Embar, 2015). Different categories of weapons have different restrictions and requirements. Category A weapons are completely forbidden; however, Category B weapon permits will be granted to citizens over 21 that have valid reasons for possessing the firearm, which can be self-defense, sport shooting, and hunting (Embar, 2015). Category B weapon seekers must pass a shooting test, and take an extensive course that includes a final exam about gun safety, design, handling, and more (Embar, 2015).

Category B permit holders may only transport their guns to and from the place where it will be used. They are permitted to purchase, possess, and import Category B firearms as well as acquire and possess ammunition for hand guns (Urfahr-Umgebung). Those desiring to carry Category B firearms outside their home must hold a gun passport, for which a need to carry the firearm must be demonstrated—for example, a valid reason is that the applicant is exposed to special dangers outside of their home or property (Urfahr-Umgebung).

Category C firearm permits are granted to citizens over 18 who pass a background check and have the weapon registered within 6 weeks of purchasing it (Embar, 2015). Category D weapons can be bought by anyone without permits or registration. For the application process governing

²⁵² *Criminal Code*, RSC, 1985, c. 46, ss. 85-87, 91, & 105.

²⁵³ WaffG.

²⁵⁴ KMG

²⁵⁵ GewO

²⁵⁶ AWG

²⁵⁷ §10. WaffG.

all permits, applicants must submit photo ID, psychological report, confirmation of proof of proper handling of firearms, proof of present service or declaration of disqualification, birth certificate, and marriage certificate if the surname of the applicant has changed due to marriage (Urfahr-Umgebung). The applicant's reliability is determined by ensuring that there is no reason justifying the assumption that the applicant would: misuse weapons, use them frivolously, handle or store them carelessly, or allow unauthorized access to their weapons (Urfahr-Umgebung). An applicant can also be rejected on the basis of alcohol addiction, mental illness or weakness, or any type of physical impairment that would impact their ability to handle a gun (Urfahr-Umgebung). If a gun holder is deemed unreliable at any time, their license will be revoked (Urfahr-Umgebung).

There are broad instructions for firearms owners in terms of safe use and storage of their weapons, including that owners must keep firearms in a "burglar-resistant container" like a safe, weapon locker, or other storage method (Urfahr-Umgebung). The Federal Minister is authorized to enact ordinances on the requirements for safe storage in order to reasonably protect weapons and ammunition from unauthorized access.²⁵⁸ There are also circumstances in which the district government agency or police may ban a person from possessing a weapon and ammunition if there is reason to suspect that the individual's misuse of the weapon could endanger life, health, freedom, people, or property (Urfahr-Umgebung).

Police retain the right to search a person or a person's property if there is reason to believe that they are in illegal possession of weapons. Noncompliance with the requirements set out in the Gun Act by lawful permit owners, including violating safe storage, presenting false information on an application, and committing other breaches, are considered "administrative violations" and can result in fines.²⁵⁹ The importation of ammunition, other than handguns with center fire ignition or caliber 6.35mm and over, blank cartridges, and non-military firearms, does not require a permit (Austrian Embassy Washington).

Switzerland

Statistical Summary

The rate of gun deaths in Switzerland per 100,000 is 2.84 (WHO, 2020). Guiding gun control legislation in Switzerland includes the Federal Law on Arms, Arms Accessories and Ammunitions 1997,²⁶⁰ and the Ordinance on Arms, Arms Accessories and Ammunitions 2008.²⁶¹ These laws are categorized as restrictive (Alpers, 2020m). The penalty for illicit firearms possession is a maximum of 3 years in prison (Alpers, 2020m). Persons allowed to possess guns are defined as "only licensed gun owners" with certain exceptions and there are 3.4 million privately owned firearms (Alpers, 2020m; WHO, 2020). The right to own a gun is guaranteed by law and is limited by federal regulation. The total number of legal intervention gun homicides in 2017 was 1 and the number of accidental gun deaths was 0. The number of gun suicides was 211 (WHO, 2020).

²⁵⁸ *Id.* § 16b.

²⁵⁹ *Id.* § 51.

²⁶⁰ Bundesgesetz vom 20. Juni 1997 über Waffen, Waffenzubehör und Munition (Waffengesetz, WG), AS 1998, 2535 ff.

²⁶¹ Verordnung vom. 25. Februar 1998 über das Kriegsmaterial (Kriegsmaterialverordnung, KMV), AS 1998 808, ff.

Legal Summary

Gun laws in Switzerland are aimed at deterring abuse while permitting lawful gun ownership and use (Palmer, 2013b). The Federal Law on Arms, Arms Accessories and Ammunitions of 20 June 1997 guarantees gun ownership by law.²⁶² However, most guns require licenses to own. Private individuals are allowed to purchase and sell guns between them, as long as the seller verifies the identity and age of the buyer by checking an official ID and as long as the seller has no reason to believe that the buyer has been or should be disqualified from gun ownership (Palmer, 2013b). These circumstances can be verified by the seller with written consent from the buyer to solicit information from cantonal authorities (Palmer, 2013b). Firearms dealers must register all rifles sold with the country's gun registry. Rifles and semiautomatic long arms used by recreational hunters do not require licenses, but fully automatic guns and silencers are banned (Kirby, 2013).

Applicants for a weapons license must be over 18 years old, may not have been placed under guardianship, may not give cause for suspicion that the applicant may endanger themselves or others with the weapon, and may not have a criminal or psychological record that contains a conviction for a violent crime or multiple convictions for nonviolent crimes (Palmer, 2013b). Only weapons for hunting or sport are exempt from license requirements. For all other guns, licenses are valid for 6-9 months and are valid for the acquisition of only one weapon (Palmer, 2013b). While acquiring a gun may not be difficult, there are strict regulations on carrying. Those who want to carry guns for defensive purposes can only do so with a carrying license, which is only granted to those who are qualified to acquire guns, demonstrate a need for the weapon to protect themselves, others, or property against some danger, and have passed a theoretical and practical exam.²⁶³

The theoretical knowledge tested includes criminal provisions on violent crimes and self-defense, necessity as a justification or excuse, federal and local law provisions, types of weapons and ammunition, and security measures and proper conduct when carrying weapons.²⁶⁴ The practical knowledge evaluation tests the applicant's skill in handling the weapon, such as loading, unloading, operating the safety device, and shooting.²⁶⁵ Being granted a carrying license allows the concealed carrying of a handgun.²⁶⁶

No carrying license is required for the transporting of an unloaded weapon for legitimate purposes, including traveling to and from the shooting range or hunting area, as long as the ammunition is kept separate from the weapon.²⁶⁷ There are gun-free zones, which include all public areas not designated as shooting zones.²⁶⁸ Additionally, weapons and ammunition must be stored separately and securely (DeVore, 2017).

²⁶² Bundesgesetz vom 20. Juni 1997 über Waffen, Waffenzubehör und Munition (Waffengesetz, WG) [Federal Law on Arms, Arms Accessories and Ammunitions of 20 June 1997], AS 1998, 2535 ff. art. 1(1).

²⁶³ Reglement über die Prüfung für die Waffentragbewilligung [Regulations on the Examination for the Weapons-Carrying License], Sept. 21, 1998, as amended, SR 514.546.1 art. 2.

²⁶⁴ *Id.* art. 3.

²⁶⁵ *Id.* art. 4.

²⁶⁶ *Id.* art. 28

²⁶⁷ *Id.*

²⁶⁸ Bundesgesetz vom 20. Juni 1997 über Waffen, Waffenzubehör und Munition (Waffengesetz, WG) [Federal Law on Arms, Arms Accessories and Ammunitions of 20 June 1997], AS 1998, 2535 ff. art. 1(2).

All Swiss men between 18 and 34 are obliged to serve in the military, and all are given Swiss army guns in order to do so, which can be kept at home (Kirby, 2013). The army monitors whether the guns are kept at home, and puts limits on ammunition. The guns are given for symbolism of sovereignty, rather than being used for self-defense or other purposes (DeVore, 2017). Further, police retain the right to seize a weapon if there is belief that the owner poses a danger to themselves or others, even while they hold a valid license (Kirby, 2013).

USA

Statistical Summary

The rate of gun deaths in the U.S. per 100,000 people is 12 (WHO, 2020). Guiding gun control legislation in the United States includes the National Firearms Act of 1934,²⁶⁹ the Gun Control Act 1968 as amended,²⁷⁰ and the Brady Handgun Violence Prevention Act 1993.²⁷¹ These laws are categorized as permissive (Alpers, 2020o). The penalty for illicit firearms possession is 10 years in prison. Persons allowed to possess guns are defined as “non-prohibited persons of minimum age” and there are 393.3 million privately owned firearms, (Alpers, 2020o; WHO, 2020). The right to own a gun is guaranteed by law and is limited by federal and state regulation. The total number of legal intervention gun homicides in 2017 was 553 and the number of accidental gun deaths was 486 (WHO, 2020). The number of gun suicides was 23,854 (WHO, 2020).

Legal Summary

In the U.S., gun ownership is guaranteed by the Second Amendment to the Constitution; however, it is limited by federal, state, and local laws. On a federal level, the private possession of semi-automatic assault weapons, pistols, and revolvers is permitted without a license.²⁷² Private possession of fully automatic weapons is permitted with federal licensing and registration rules, and possession of rifles and shotguns is regulated.²⁷³ All persons above 18 years old and deemed “non-prohibited” are permitted to buy shotguns and rifles.²⁷⁴ Those above 21 may purchase all other firearms.²⁷⁵

Firearm possession is to be denied to anyone with a past history or likelihood of family violence, as well as convicted criminals and persons who have a mental illness.²⁷⁶ In order to deny someone a gun due to mental illness, they must be “adjudicated as mentally ill” by a court or other authority (Pérez-Peña, 2015). Dealers are required to conduct criminal background checks before completing a sale, and must keep a record of each sale of firearms; however, civilian ownership of firearms is not required to be kept in a register.²⁷⁷ The requirement to conduct criminal background checks does not apply to small-scale/private sellers (Pérez-Peña, 2015).

²⁶⁹ I.R.C. ch. 53 § 5801 (1934).

²⁷⁰ 18 U.S.C. ch. 44 § 921 (1968).

²⁷¹ 18 U.S.C. ch. 44 § 922 et seq.

²⁷² 18 U.S.C. ch. 44 § 921 (1968).

²⁷³ *Id.*

²⁷⁴ *Id.*

²⁷⁵ *Id.*

²⁷⁶ 18 U.S.C. ch. 44 § 922 et seq. t(1).

²⁷⁷ *Id.*

Private guns are prohibited in federal facilities, schools, and National Parks (unless otherwise specifically permitted), and these are named Gun-Free Zones.²⁷⁸ There is no federal law on gun carrying—it is up to the states to decide what these regulations entail. Federal law requires gun sellers to provide safe storage while selling a gun; however, the burden is on the seller to follow this regulation and there are many exceptions.²⁷⁹ Further, a person who has lawful possession and control of a handgun who uses a secure gun storage/safety device will be immune from a qualified civil liability action.²⁸⁰ Any qualified civil liability action—which is defined as a civil action brought by any person against someone in lawful possession of a handgun for damages resulting from the criminal or lawful misuse of the handgun by a third party if the gun was accessed without permission, the gun had been made inoperable by the use of a secure storage or safety device at the time access was gained, and was not accessed due to negligence—may only be brought to local courts.²⁸¹

Comparing the U.S.

After a thorough collection of gun data from 15 developed countries, it becomes evident that the United States exhibits significantly more concerning numbers and significantly less regulations than all other countries studied. With the highest number of accidental gun deaths, legal intervention gun deaths, suicide gun deaths, and overall gun deaths, it is incontestable that the country has a major problem when it comes to gun possession and violence. While the data was not presented per capita in the summary, even when it is broken down per capita for each country, the U.S. far exceeds them all. For example, the number of gun deaths per capita in the U.S. is $1.2E^{-4}$, whereas the next highest number of gun deaths per capita lies in Austria with a number of $0.27E^{-4}$, making the U.S.'s number of gun deaths almost 5 times higher than the next highest country. For every metric used, the per capita findings show that the U.S. has more gun deaths across the board, including accidental gun deaths, legal intervention gun deaths, and gun suicides.

Further, the United States and Switzerland are the only two countries that guarantee the right to own a gun by law, and they also happen to be the two countries with the highest number of gun deaths annually. Along the same vein, the United States and Austria are the only two countries whose gun laws are categorized as permissive, and they are also the two countries with the highest number of gun deaths per capita as well as the highest number of privately owned guns per capita. While correlation does not necessarily imply causation, these findings are still important to consider. Countries that prioritize gun access through their laws see higher numbers of annual deaths, and the U.S. leads them all with the most deaths in every category as a result of the most relaxed gun laws.

Policy analysis

To help the U.S. solve the gun problem, other countries should be looked to as examples. However, it is important to select these countries based on cultural similarities to the U.S. in terms of gun attitudes and political systems. As such, the most suitable countries to look to are Canada, considering its proximity and shared culture, Switzerland, because it is the only other

²⁷⁸ *Id.*

²⁷⁹ 18 U.S.C. ch. 44 § 921 (1968) z(1).

²⁸⁰ *Id.* at z(3).

²⁸¹ *Id.*

developed country that guarantees the right to gun ownership by law, Austria, because it is the only other developed country with gun laws categorized as permissive, and New Zealand and Sweden, due to their strong gun cultures. Further, it is important to recognize that no single other country can be used as a cut-and-paste example, considering that every country has its own unique culture. Instead, they should be looked to as guides from which certain sections can be used as models.

However, it is also crucial to realize that all 5 of these countries, which are the most developed economies most culturally similar to the U.S., have certain regulations that are identical among them all. There would not be such uniformity if there was no logic behind the regulations; rather, it is the fact that all of these countries, regardless of gun culture and rights, selected to implement them that is most important. The U.S. should implement all of these across-the-board similarities as an imperative first step towards reducing the impact of the gun problem. Firstly, all 5 of these countries require licensing for most types of guns. This would not be feasible in the U.S., considering its unique gun culture, so, instead, a more reasonable solution would be to require licensing at least for firearms that pose a greater threat to public safety—specifically, rifle and shotgun possession should require a permit and should only be granted for specific purposes like hunting and target shooting.

The licensing process to possess these guns, as it occurs in the other 5 countries, should require proof of skills in using the specific firearm desired, theoretical testing about safe use and federal laws, a mental health and violence history check, and a criminal background check. The practical and theory skills requirement would ensure that those who have highly dangerous firearms in their possession are aware of the legal and ethical requirements associated with the ownership, and conducting background checks would ensure that only those intending to use the guns safely will be able to purchase them. Although mental health and past criminal history does not always correlate with a proneness to use guns violently, conducting these checks can ensure that no one with concerning backgrounds will have access to firearms that can be used to kill others.

In all 5 countries, fully automatic firearms, silencers, and accessories that convert guns into military-style weapons are completely banned, which is an important step that the U.S. should implement as well. It is important to note that the Second Amendment, a defense often used to protect citizens' desire to own these types of guns, should not hold weight against this regulation—Switzerland is a country that proves that it is possible to prohibit these classes of firearms and accessories in the interest of public safety without infringing on the citizens' constitutional right to own guns.

Another consideration that plays a role in every country's gun laws, even though it differs slightly among the 5, is the requirement to hold a permit to carry firearms in public. While most countries allow the carrying of weapons when they are being transported to and from the location designated for their specific use, as long as they are unloaded, they do require a permit to carry them publicly for self-defense and other specific purposes. Recognizing that it would be hugely impossible to implement a policy of this sort in the U.S. considering the sheer quantity of privately-owned firearms, a more reasonable suggestion would be to implement such policies for those guns previously designated as requiring a license to possess. Requiring a license to

transport more dangerous firearms would allow police to enforce the limitations that ensure the safe use of these weapons.

Finally, another commonality among the countries is the implementation of certain storage requirements. While it would be unfeasible to implement specific storage stipulations in the U.S., considering the number of privately owned guns and the heavy resistance to gun control, a more reasonable policy would be to simply require that guns be left unloaded and stored separately from ammunition when not in use. This would be difficult to enforce; however, it could undoubtedly have an impact on reducing household gun violence such as domestic violence and suicide.

Finally, in order to reduce the number of privately owned guns, and thus prevent deaths, would be to implement an optional buyback program with monetary incentives where citizens would be encouraged to forfeit their private firearms. While many people would refuse to do so, even if a small number of people comply, the number of privately owned firearms will be reduced and deaths will be prevented.

These policy implementations would not infringe on citizens' Second Amendment rights, or any other rights granted to them by the Constitution, and would ensure that U.S. gun laws remain permissive. They would also significantly reduce the gun violence problem, as they have in other countries, and would help the U.S. be comparable to its peers when it comes to gun regulation.

VI – Conclusion

Findings

The findings from the international policy analysis raised important recommendations for the U.S. to sign into law. The list below summarizes the conclusions from that section of the study.

- (1) Require a licensing process for citizen ownership of rifles and shotguns
 - a. On application, require:
 - i. Specific purpose for use whereby hunting and target shooting are acceptable
 - ii. Proof of practical skill
 - iii. Proof of theoretical skill
 - iv. Mental health and violence history check
 - v. Criminal background check
- (2) Fully ban all automatic weapons for citizens.
 - a. No exceptions apply.
- (3) Fully ban all silencers and accessories that could adapt firearms to have fully-automatic capabilities.
- (4) Require a carry permit for those firearms designated as requiring licenses for ownership.
- (5) Require firearms to be stored unloaded and separately from ammunition in citizens' homes or storage facilities.
- (6) Implement an optional incentivized buyback program

The results from the survey conducted in this study bring up important points that support these gun policy reform suggestions. Even though the survey was limited to a small sample size, results extracted raised some important points—namely, that, overall, Americans feel that they

have a right to own guns. However, they also showed that Americans recognize that a gun problem exists in their country. The survey showed that Americans believe that current gun regulation policies are insufficient and would like to see them amended or re-written. The majority of Americans even recognize that gun access is a leading cause of school shooting, despite the strong debate surrounding this assertion.

Despite these opinions, the majority of American respondents did not report that they have considered moving away from the country as a result of the gun problem. This showed that Americans do not want to be leaving their country, and an issue as great as the gun violence problem does not even sway them in that direction. Clearly, American patriotism is a major factor at play—for people who love their country so strongly, it is only right to listen to their desires and implement the changes they would like to see to feel safe in their homes, neighborhoods, and schools. The policy suggestions made in this study will allow Americans to achieve the feeling of safety that they are seeking by reducing access to dangerous guns, reduce the number of privately held firearms, and making strides in solving the problem at large.

Further, an alarming result was that 18.4% of American respondents remained neutral or did not respond when asked if the U.S. gun policies were comparable to other countries. For comparison, only 8.5% of non-Americans responded to the question in this way. That shows that Americans are 9.9% more likely than non-Americans to feel as though they do not know enough about gun policies internationally to take a stance on this question, bringing up a severe educational shortcoming when it comes to knowledge about where other countries lie on this issue.

Interestingly, little to no literature exists regarding school gun education programs since the early 2000s. It seems as though people were vehemently in favor of gun education programs for a short period of time before ceasing to write about it as time has passed. However, this study has revealed a lack of education in at least one area of gun knowledge, international knowledge, and alluded to another in finding that people with lower incomes are less likely to favor gun regulation than people with higher incomes. From the results of the survey, it would be prudent to recommend the implementation of gun education programs in U.S. schools and community centers; however, that is beyond the scope of this study and would merit further research.

The demographic analysis from the survey showed that white, male Christians were the most resistant to the implementation of gun regulation. Unfortunately, politics is largely dominated by precisely these people. Diverse representation in politics is beyond the scope of this study; however, the survey has made it exceedingly clear that more representation is needed in order for the people's desires to be heard. Regardless, though, politicians—the people Americans elect into power to implement their wishes—should consider the positive impact that these policy recommendations could bring to all Americans. While this survey only captured a small picture of America's beliefs on guns, its results cannot be ignored.

Limitations

This study was conducted despite certain limitations potentially affecting its results. Firstly, the survey sample was not representative of the U.S. population at large, considering that the respondents were people in the researchers' broad personal networks. As such, the demographic backgrounds of the researchers, which impacts their social circles, had an effect on the

demographic breakdown of the respondents. Secondly, the survey was limited to a small number of respondents due to time constraints and a lack of resources. Finally, as any other research paper, this study aimed to remain as objective as possible; however, it is impossible to escape personal implicit biases that could have played a role in the results.

Further Research

Many areas for further research were identified throughout the study, including the disproportionate impact of gun violence on people of color, the U.S. education system's impact on people's attitudes towards guns and gun control, and the impact of undiverse political candidates on the implementation of gun control. Finally, this study discussed the potential success of gun education programs in schools, an idea for which the effectiveness has yet to be tested and would benefit from additional investigation.

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Appendix

Figure 1: Survey Questions and Choices

1. What is your age?
 - a. 18-24
 - b. 25-40
 - c. 41-60
 - d. 61-80
 - e. 80+
2. What is your household income?
 - a. <\$20,000
 - b. \$20,001-\$40,000
 - c. \$40,001-\$60,00
 - d. \$60,001-\$80,000
 - e. \$80,001-\$100,00
 - f. \$100,000+
3. What is your gender?
 - a. Female
 - b. Male
 - c. Gender non-conforming
 - d. Other
 - e. Prefer not to say
4. What is your highest education level?
 - a. No high school
 - b. GED
 - c. High school
 - d. Bachelor's degree
 - e. Master's degree
 - f. Doctorate
5. What is your marital status?
 - a. Married
 - b. Divorced
 - c. Widowed
 - d. Separated
 - e. Never married
6. How many children do you have?
 - a. 0
 - b. 1-2
 - c. 3-4
 - d. 5+
7. How do you identify your race?
 - a. White
 - b. Hispanic or Latino
 - c. Black or African American
 - d. Native American or American Indian

- e. Asian
 - f. Native Hawaiian or other Pacific Islander
 - g. Multi-racial
 - h. Prefer not to say
8. How do you identify your ethnicity?
- a. Hispanic or Latino
 - b. Not Hispanic or Latino
 - c. Prefer not to say
9. What is your religion?
- a. Christian – protestant
 - b. Christian – catholic
 - c. Christian – other
 - d. Jewish
 - e. Buddhist
 - f. Islam
 - g. Hinduism
 - h. Atheists
 - i. Nonreligious
 - j. Other
 - k. Prefer not to say
10. What region of the U.S. are you from?
- a. Northeast
 - b. Northwest
 - c. Southeast
 - d. West
 - e. Southwest
 - f. Midwest
 - g. Mid Atlantic
 - h. International. My home country is: _____
11. Do you or does someone you know own a gun?
- a. I know someone that owns a gun: yes/no
 - b. I own a gun: yes/n
12. If you know someone that owns a gun, what is your relationship to that person?
- a. Direct family member (child, sibling, or parent)
 - b. Other family member
 - c. Friend
 - d. Acquaintance
 - e. Professional acquaintance (i.e. coworker, boss)
 - f. Other
 - g. Prefer not to say
 - h. Does not apply
13. If you own a gun, through which method did you purchase the gun?
- a. Gun Shop
 - b. Online
 - c. Private Seller
 - d. Retail Store (e.g. Walmart)

14. Have you or has someone you know suffered from injury or death caused by a gun?
 - a. I have suffered injury caused by a gun: yes/no
 - b. I know someone that has suffered injury or death caused by a gun: yes/no
15. If you know someone that has suffered injury or death caused by a gun, what was your relationship to that person?
 - a. Direct family member (child, sibling, or parent)
 - b. Other family member
 - c. Friend
 - d. Acquaintance
 - e. Professional acquaintance (i.e. coworker, boss)
 - f. Other
 - g. Prefer not to say
 - h. Does not apply
16. To what extent do you agree with the following statements:
 - a. The United States has a gun problem
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
 - b. Gun control could effectively solve the gun problem
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
 - c. The United States has sufficient policies regulating gun ownership.
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
 - d. The current gun policies in the United States should be amended to be more strict.
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
 - e. Current gun policies in the United States are insufficient and new ones should be implemented.
 - i. Strongly Agree
 - ii. Agree

- iii. Neutral
- iv. Disagree
- v. Strongly Disagree
- vi. Does not apply/prefer not to answer
- f. Citizens in the United States should have the right to own guns.
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
- g. Gun access is a leading cause of school shootings.
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
- h. I am fearful to send my children to school because of the threat of a school shooting.
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
- i. I have considered moving away from the United States at least in part to get away from the gun problem.
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer
- j. The United States' gun policies are comparable to other major developed countries.
 - i. Strongly Agree
 - ii. Agree
 - iii. Neutral
 - iv. Disagree
 - v. Strongly Disagree
 - vi. Does not apply/prefer not to answer

Figure 2: What is your age?

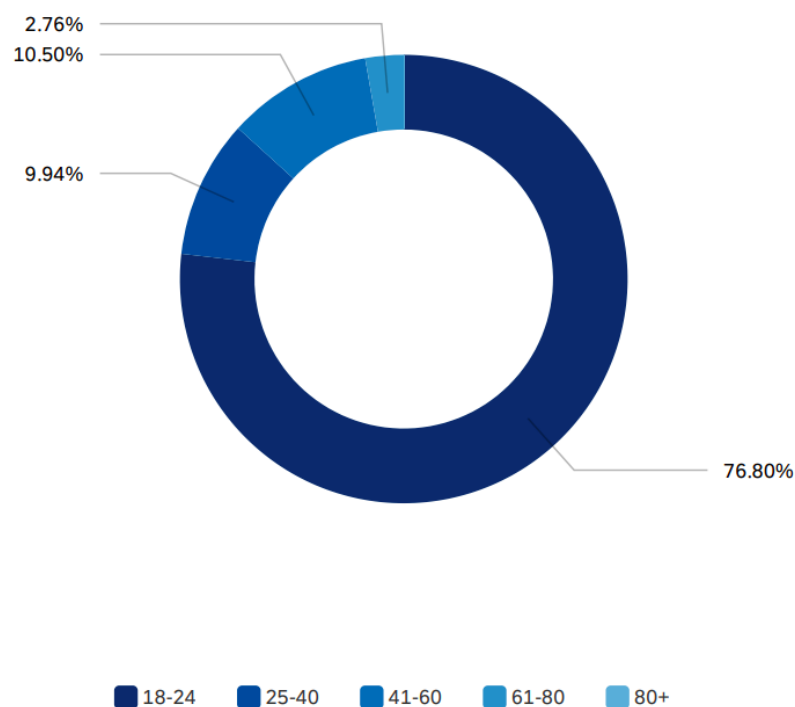


Figure 3: What is your annual household income (USD)?

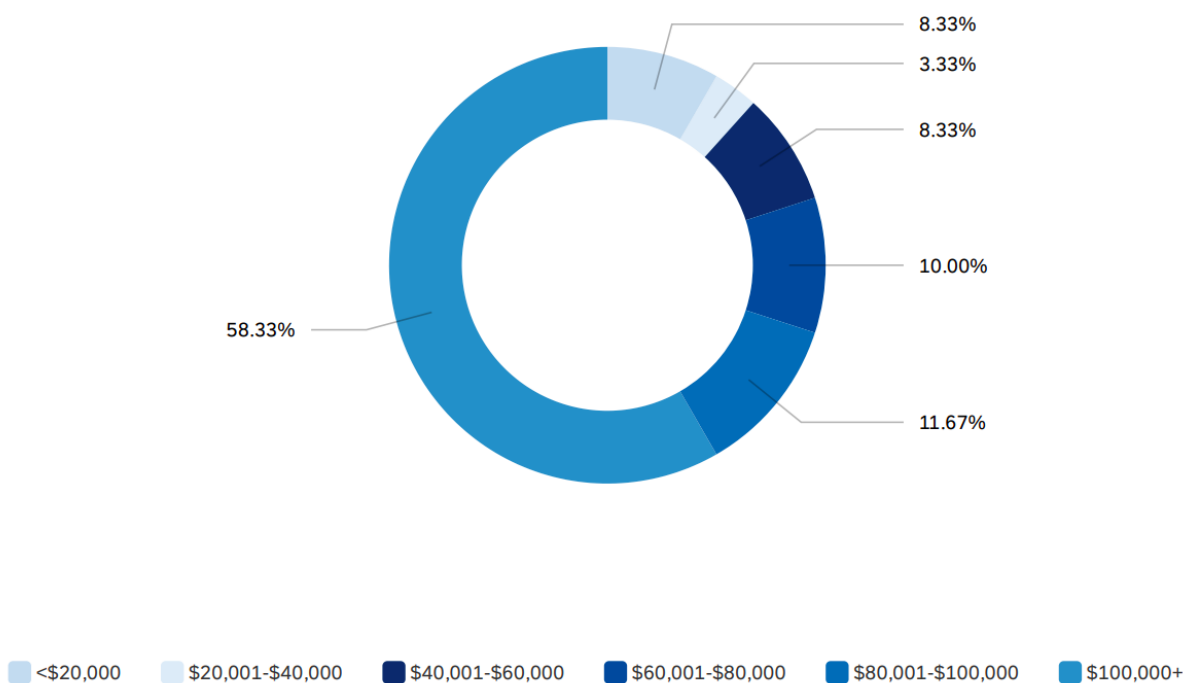


Figure 4: How do you identify your gender?

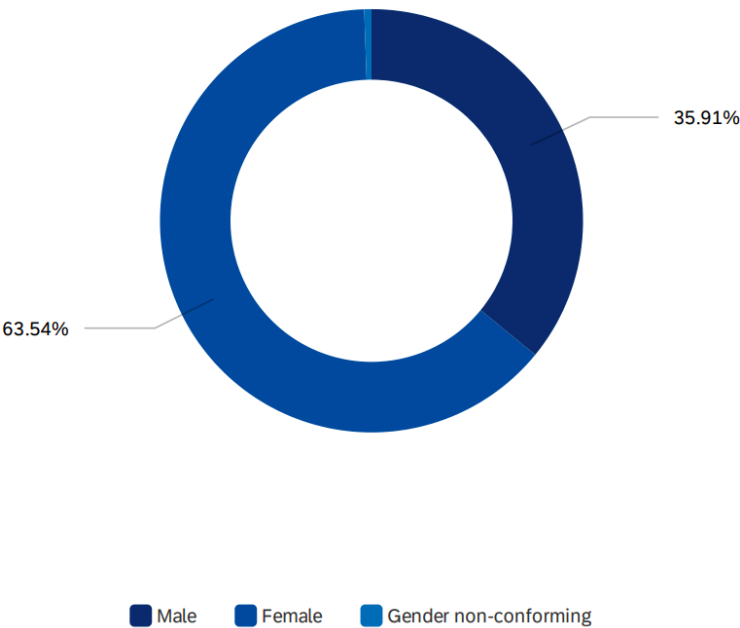


Figure 5: What is your highest education level?

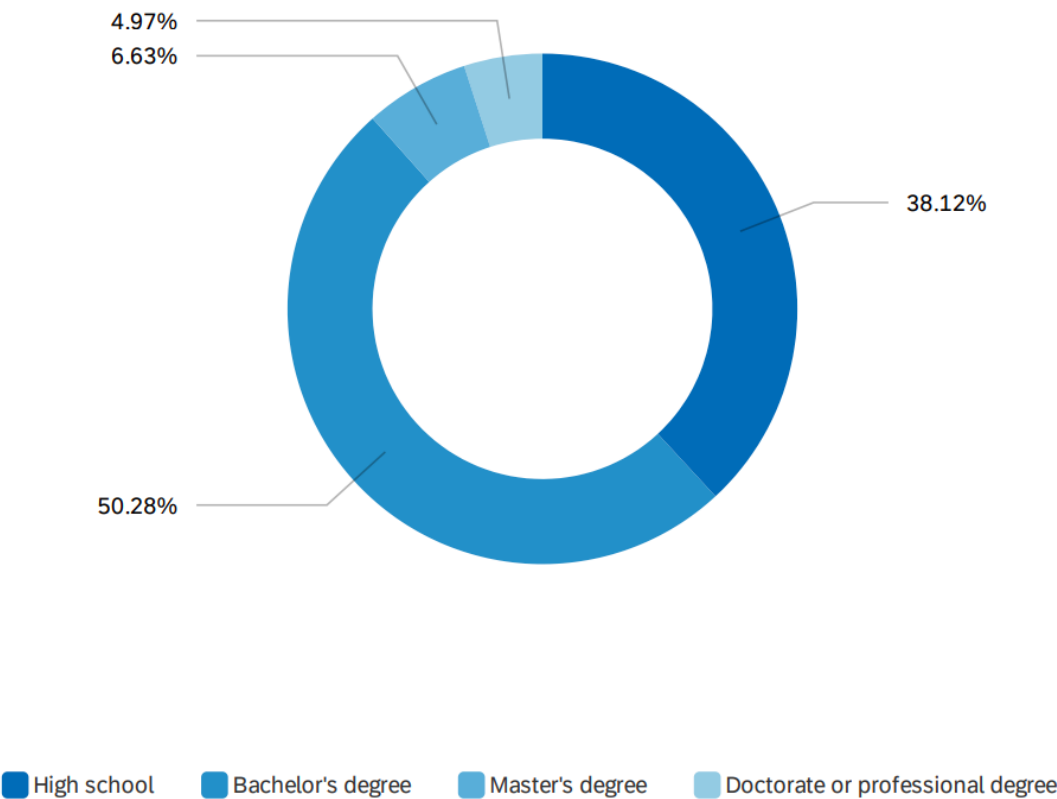


Figure 6: What is your marital status?

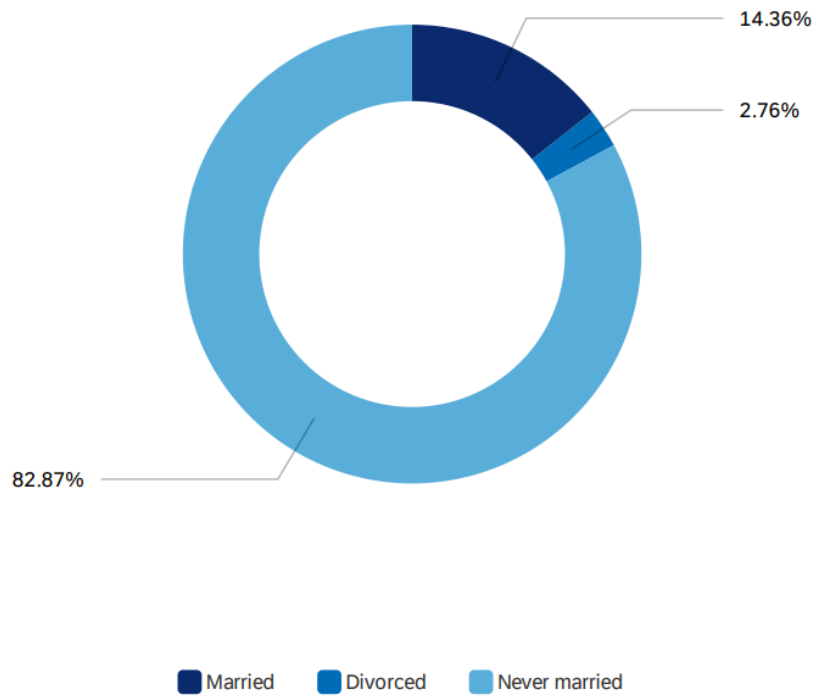


Figure 7: How many children do you have?

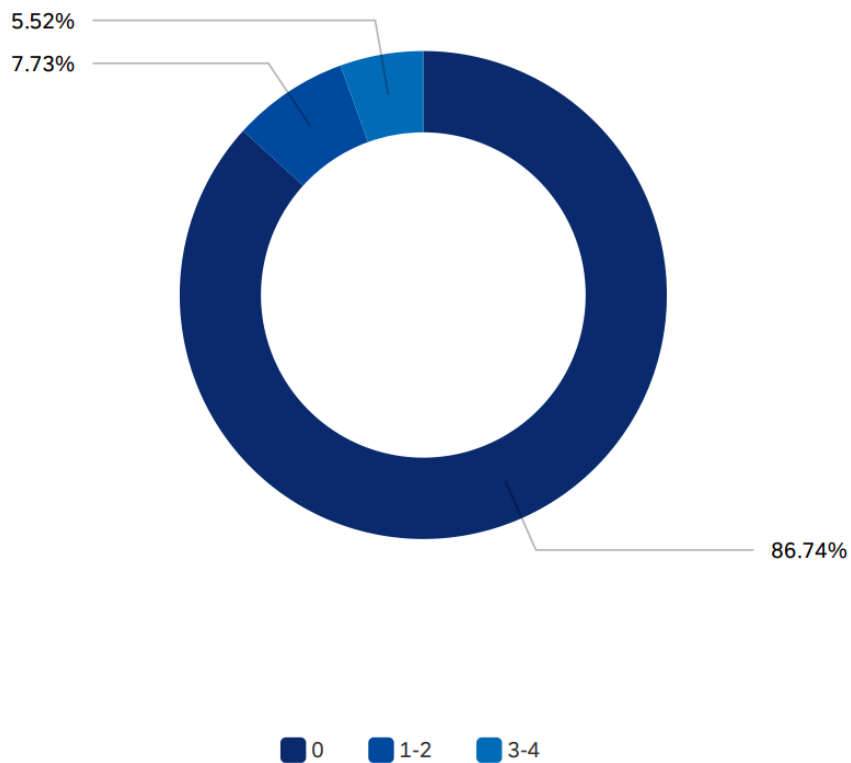


Figure 8: How do you identify your race?

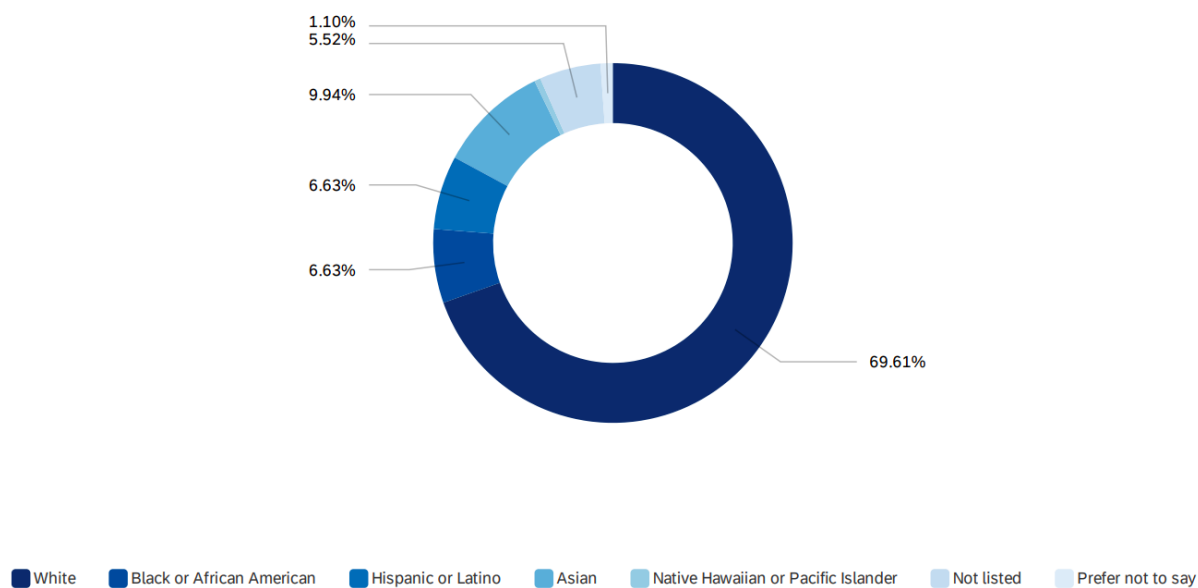


Figure 9: How do you identify your ethnicity?

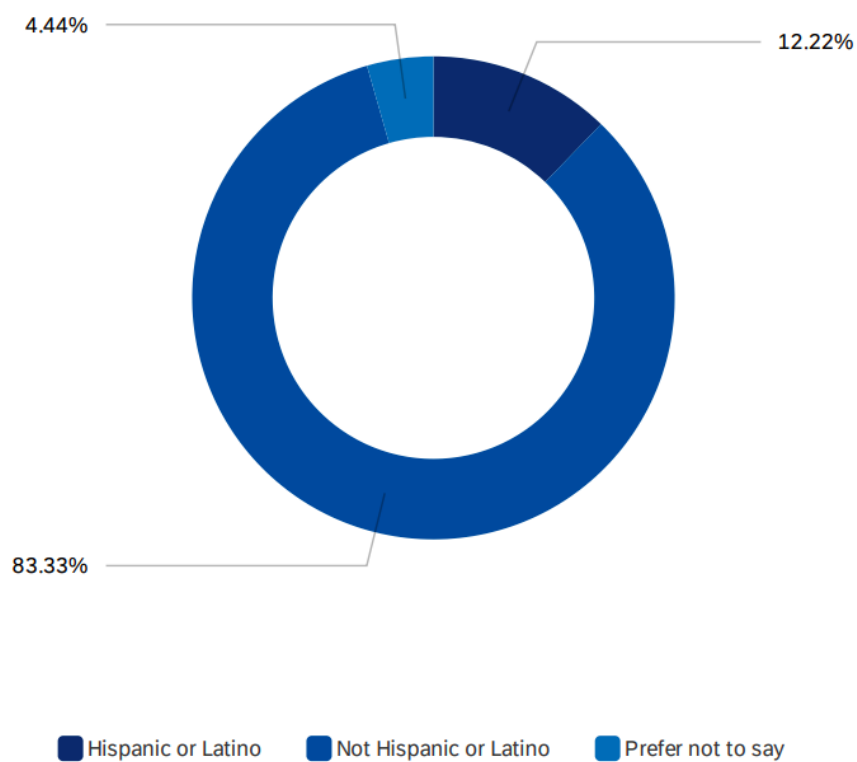


Figure 10: How do you identify your religion?

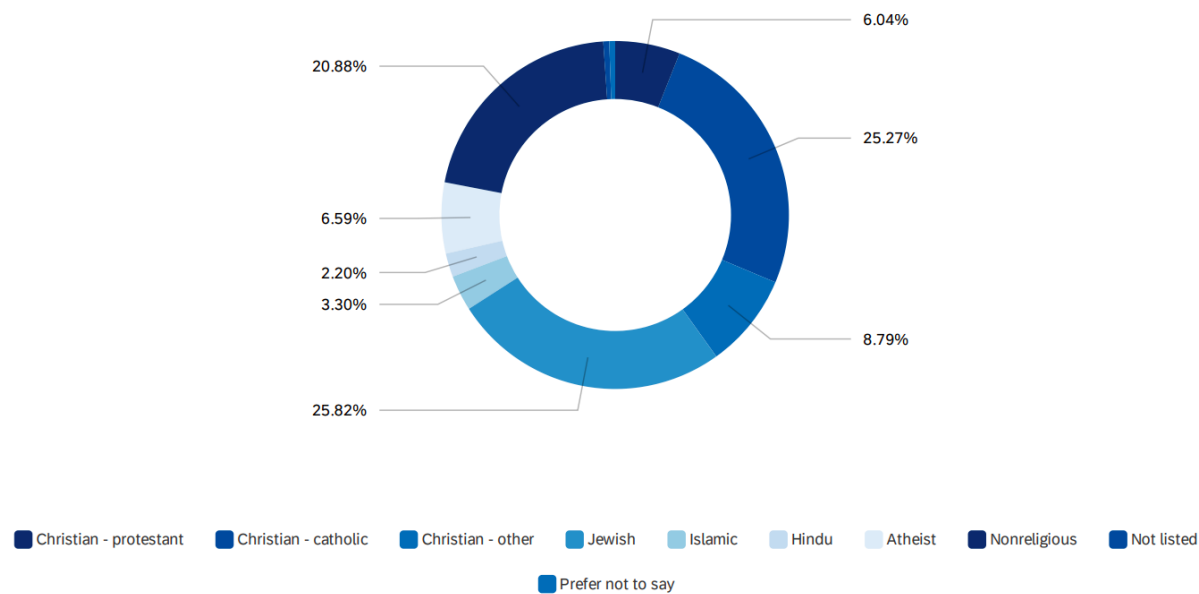


Figure 11: What region of the U.S. are you from?

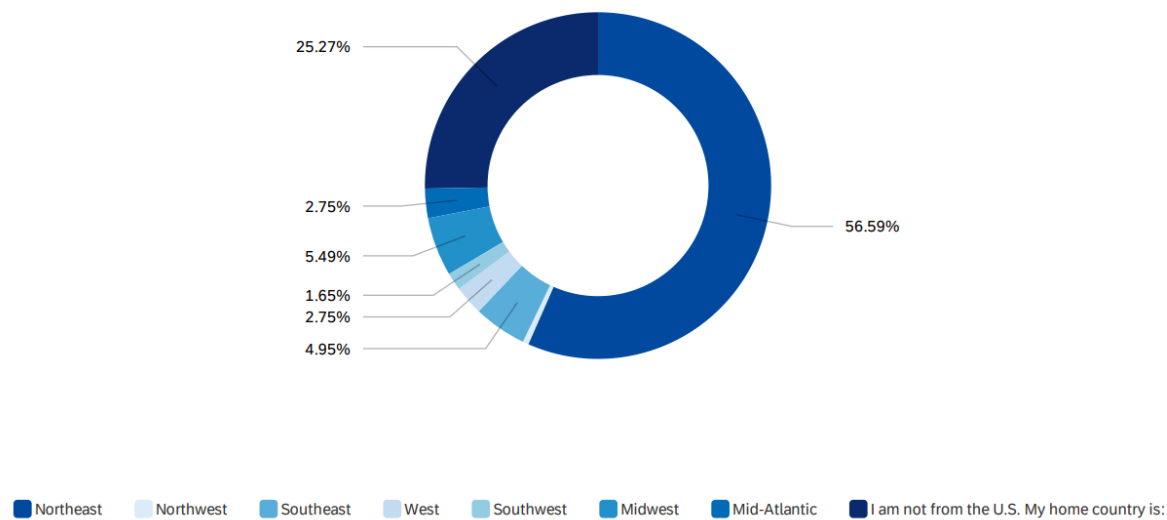


Figure 12: Do you or does someone you know own a gun?

#	Field	Yes		No		Prefer not to say		Total
1	I know someone that owns a gun	71.75%	127	28.25%	50	0.00%	0	177
2	I own a gun	4.57%	8	94.86%	166	0.57%	1	175

Figure 13: Have you or has someone you know suffered injury or death caused by a gun?

#	Field	Yes	No	Prefer not to say	Total
1	I have suffered from injury caused by a gun	4.57% 8	94.86% 166	0.57% 1	175
2	I know someone who has suffered from injury or death caused by a gun	23.30% 41	76.14% 134	0.57% 1	176

Figure 14: To what extent do you agree with the following statements?

#	Field	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	Prefer not to say/does not apply
1	The United States has a gun problem.	61.31% 103	21.43% 36	7.14% 12	2.98% 5	1.79% 3	4.17% 7	1.19% 2	0.00% 0
2	Gun control could effectively solve the gun problem.	32.14% 54	30.36% 51	21.43% 36	4.17% 7	2.38% 4	6.55% 11	2.98% 5	0.00% 0
3	The United States has sufficient policies regulating gun ownership.	1.19% 2	4.76% 8	8.33% 14	5.36% 9	13.69% 23	30.95% 52	35.71% 60	0.00% 0
4	The current gun policies in the United States should be amended to be more strict.	51.79% 87	26.19% 44	10.12% 17	4.17% 7	1.19% 2	4.17% 7	2.38% 4	0.00% 0
5	The current gun policies in the United States are insufficient and new ones should be implemented.	46.11% 77	25.15% 42	7.19% 12	7.19% 12	7.19% 12	4.19% 7	2.40% 4	0.60% 1
6	Individual citizens in the United States should have the right to own guns.	14.88% 25	24.40% 41	19.64% 33	9.52% 16	10.12% 17	11.31% 19	10.12% 17	0.00% 0
7	Gun access is a leading cause of school shootings.	39.88% 67	24.40% 41	11.90% 20	5.95% 10	2.98% 5	8.93% 15	5.95% 10	0.00% 0
8	I am fearful to send my children to school because of the threat of a school shooting.	4.17% 7	10.71% 18	8.93% 15	4.76% 8	4.17% 7	7.14% 12	9.52% 16	50.60% 85
9	I have considered moving away from the United States at least in part to get away from the gun problem.	3.59% 6	2.99% 5	8.98% 15	7.19% 12	1.80% 3	25.75% 43	32.34% 54	17.37% 29
10	Gun policies in the United States are comparable to those in other major developed countries.	0.60% 1	1.20% 2	4.22% 7	17.47% 29	10.24% 17	37.35% 62	24.70% 41	4.22% 7