

***BRADY'S LEGISLATIVE  
BLUEPRINT FOR  
A SAFER AMERICA***



**BRADY**  
UNITED AGAINST GUN VIOLENCE

# ABOUT BRADY

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike, to take action, not sides, and end America's gun violence epidemic. Our organization today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife Sarah led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah's legacy by uniting Americans from coast to coast — red and blue, young and old, liberal and conservative — against the epidemic of gun violence.

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# FOREWORD

## A LETTER FROM BRADY PRESIDENT KRIS BROWN

Dear Members of Congress,

At the beginning of each Congress, it is my distinct honor as Brady's president to share with you the legislative priorities of our organization and the grassroots activists we represent from communities throughout the country.

I do so today at a pivotal moment in our fight to end the public health epidemic of gun violence in America.

Since the beginning of the COVID-19 pandemic, the United States has experienced an alarming surge in gun deaths, with all forms of gun violence increasing exponentially. Firearm homicides, suicides, unintentional shootings, and mass shootings have devastated communities across the country at a level unseen in decades. By 2021, gun death rates nationwide had risen a quarter above pre-pandemic levels, and mass shootings doubled.

These trends were driven by a huge surge in gun purchases across the nation as law enforcement faced a large increase in recently purchased firearms being recovered in crimes. There was a nearly 65% increase in gun sales in 2020 over the previous year, and 2021 saw a similar spike over pre-pandemic levels. Nearly 20% of U.S. households purchased a gun during the height of the COVID-19 pandemic, and 1 in 20 adults purchased a gun for the first time. Years will pass before we truly understand the ramifications of this swell in firearm sales, and they will likely reverberate in communities across our nation for generations to come.

But today we are already beginning to witness the first signs of impact. Most distressingly, 2020 saw firearms become the leading cause of death for American children. Let's be perfectly clear: **No other industrialized nation experiences gun violence like we do. This is a uniquely American problem.**

It is important to remember that the figures I cite here are not just data. Each of these numbers represents lives taken by gun violence or wounded by its cruelty; with every firearm death comes families and friends who must face the years ahead without someone they loved and trusted, diminishing their lives, their communities, and the futures of both.

While the challenge before us is daunting, there is still reason for hope.

The American people strongly support legislative efforts to prevent gun violence, and the 117th Congress showed not only how this support can drive progress on the issue, but that our elected leaders can, when pressed, set ideological differences far enough aside to enact the kind of life-saving solutions needed to combat this deadly epidemic. Last year, this body passed the first major gun violence legislation in a generation, and while the Bipartisan Safer Communities Act is just the first step toward solving the complex issue of gun violence in our country, the teamwork that went into every stage of the bill's life will hopefully serve future lawmakers as a shining example of how bipartisanship works — and what it can achieve even in times of particularly bitter political divisions.

In recent years, Congress has also approved historic funding to prevent gun violence, expanding its support for community violence intervention, research into the root causes of gun violence, suicide prevention programs, improvements to the Brady Background Check System, and the Bureau of Alcohol, Tobacco, Firearms and Explosives, the only federal agency with jurisdiction to prevent guns from being steadily strewn into the criminal market and our communities.

Furthermore, the House of Representatives took decisive bipartisan action to address America's multifaceted gun violence epidemic, passing over a dozen policies concerning community violence, suicide, mass shootings, and other types of gun crime.

We call on you, members of the 118th Congress, to build upon these achievements.

As one of the oldest national organizations focused on preventing gun violence in America, we emphasize the importance of prioritizing the measures highlighted in this Legislative Blueprint for A Safer America, tailored to the realities of gun violence experienced today. These needed policies will prevent violence and ensure transparency and accountability in systems that have thus far failed to adequately prioritize and ensure public safety and justice in this country.

We look forward to working with you toward a better, safer, and more just America.

A handwritten signature in black ink, appearing to read 'Kris Brown', followed by a long horizontal flourish.

Kris Brown  
Brady President

# EXECUTIVE SUMMARY

Gun violence continues to erode the very fabric of the American dream. Not only does it take more than 40,000 lives and leave over 100,000 people injured every year, it also creates collective trauma, limits educational and social advancement, damages communities economically, and infringes on our fundamental right to liberty and the pursuit of happiness. It is a complex and multifaceted issue that will persist absent targeted solutions that address its root causes and various forms. However, through legislative action and direct engagement with the American people, there is an opportunity to change the trajectory of gun violence

in the United States and lay the foundations for lasting positive change.

The Brady Blueprint is a playbook to address the epidemic of gun violence and how best to prepare for future progress. This playbook serves as a policy and messaging guide for gun violence prevention policies, legislative priorities, and ways to strengthen our democratic principles. In order to reduce American gun violence and set the stage for generations of progress, the Brady Blueprint identifies three broad areas of focus.

## AREA 1: EXPANDING AND DEFENDING DEMOCRATIC NORMS

We cannot comprehensively and adequately address gun violence until we fix unjust democratic systems and protect principles of democracy. Laying the foundations for reforms that will prevent statutory stonewalling and special interest influence, as well as expanding representative democracy and protecting the disenfranchised, will be critical to the future of the movement and the nation.

## AREA 2: EXPAND THE BRADY BACKGROUND CHECK SYSTEM

The Brady Background Check System has successfully prevented millions of prohibited purchasers from accessing firearms since its implementation, saving countless lives, but gaps in the law have arisen over the years. The Bipartisan Safer Communities Act of 2022 took important steps to address some of those gaps, but many persist. Expanding and strengthening this system is crucial to ensuring foundational support for all other gun laws.

## AREA 3: ADDRESS GUN VIOLENCE IN ALL OF ITS FORMS

The strategies, policies, and methods necessary to prevent the various forms of gun violence require an approach tailored to each of their root causes, and policymakers must account for the ways in which gun violence impacts every community differently. Brady has cataloged policies and actions likely to have the greatest impact on the gun violence epidemic in America.

# INTRODUCTION

Gun violence goes beyond the catastrophic mass shootings that make the front page. It is a public health epidemic that profoundly impacts millions of Americans every single day. Gun violence is a preventable and uniquely American tragedy that claims more than 120 lives daily, inflicting immeasurable trauma on not only survivors, but their families, friends, and communities as well. The devastating reality of gun violence injures over 100,000 people in this country every year, damages communities economically, makes education and the enjoyment of social activities difficult, and infringes on our fundamental right to live. Gun violence undeniably intersects with many issues facing Americans today: systemic racism, voter suppression, subversion of democracy, and economic injustice, to name a few. In order to fully meet the challenges laid before us, we must consider how interconnected these issues are — for the victims lost to gun violence, for the countless individuals directly and indirectly impacted by gun violence whose lives will never be the same, and for the overall health and economic well-being of the nation.

Protecting the lives, safety, and prosperity of the American people is among the most important tasks of our elected representatives. Over the last several years, the country has faced intensifying social and political division, aggravated by a global pandemic. One consequence of this aggravation has been an exacerbated threat of gun violence made even more

dangerous by [record-setting gun sales](#) that will have grim implications long after the pandemic has subsided.

We stand on the precipice of historic and meaningful change in the fight against gun violence, made possible by a collective national outrage that has once again overcome the gun industry's attempt to corrupt the political system for its own special interests. Members of the 117th Congress took the first concrete steps in a generation to create systemic change to combat gun violence, enacting the first federal gun violence prevention law in nearly 30 years and passing dozens of crucial bills addressing the multifaceted issue of gun violence in the House of Representatives. It is critical that the 118th Congress build on this progress.

The people have spoken, and the success of gun violence prevention champions in the midterm elections serve as a forceful reminder of the will of the American people. The Biden-Harris administration and the 118th Congress will be uniquely situated to advance common-sense gun policies using solutions that are both creative and bipartisan. There is an opportunity to change the trajectory of gun violence in the United States and to lay the foundations for lasting positive change; to assist, Brady has prepared this *Blueprint for A Safer America*.

**GUN VIOLENCE IS A PREVENTABLE AND UNIQUELY AMERICAN TRAGEDY THAT CLAIMS MORE THAN 120 LIVES DAILY**

# ABOUT THE BRADY BLUEPRINT

The Brady Blueprint serves as a policy and messaging guide for gun violence prevention and the strengthening of democratic principles within the 118th Congress. This guide is generally organized by broad policy topics and types of gun violence, though these policies can have an impact on various types of gun violence. As an example, Extreme Risk Laws, which allow an individual to petition a court to have firearms temporarily removed from a person who is at risk of harming themselves or others, have implications for domestic and intimate partner violence, gun suicides, and mass shootings, to name a few. For the purposes of this Blueprint, policies will be listed and described in the section most relevant to them.

While we are providing tangible areas of focus for the 118th Congress, gun violence is profoundly complex, and therefore the policies listed in this report are far from exhaustive. No other industrialized country in the world experiences gun violence in the same way that we do as Americans — a country where there are more civilian-owned guns than people. The ultimate goal, of course, is to end the epidemic of gun violence, and Brady is committed to working with Congress toward that end.

# THE BRADY BLUEPRINT

Gun violence impacts every aspect of American life. It is a complex problem that requires comprehensive solutions aimed at addressing the root causes faced by a variety of communities. Solutions which reduce firearm suicide and incidents of family fire — a shooting involving an improperly stored or misused gun in the

home that results in death or injury — look different than solutions to reduce the daily toll of community violence which disproportionately afflicts communities of color, particularly Black and Latinx communities. Tools needed to prevent mass shootings look different than those needed to prevent diversions of firearms into the illegal market. American gun violence is a layered issue that will persist without tailored solutions that address all of its forms. Congress can meaningfully address gun violence, and in order to accomplish this herculean task and set the stage for generations of future progress, the Brady Blueprint identifies three broad areas of focus:

## **Area 1: Expanding and Defending Democratic Norms**

## **Area 2: Expand the Brady Background Check System**

## **Area 3: Address Gun Violence in All of Its Forms**



## AREA 1

# EXPANDING AND DEFENDING DEMOCRATIC NORMS

How is it possible in a representative democracy for the overwhelming will of the people to be patently ignored? How can it be that policies like universal Brady Background Checks for gun sales, despite consistently enjoying the support of over 90% of the American public, fail to secure sufficient bipartisan support to be signed into law?

The answer is simple: The game is rigged.

Our democracy has been intentionally undermined, and it did not happen overnight or all at once. Some pieces of that subversion, like disenfranchisement and inequitable access to voting rights, have existed throughout the American experiment. Others, like the procedural filibuster, have been around since our founding, but essentially laid dormant until weaponized by those who would wield outsized power. Over time, more pieces have been added, and collectively it is clear that this rigged democracy is not accidental, but by design — unlimited dark money campaign spending, disenfranchisement over self-determination, and much more.

In its purest form, our government is supposed to reflect and operationalize the will of the American

people. So let us be as clear as possible: We cannot comprehensively and adequately address gun violence until we fix unjust democratic systems that have consistently prevented public safety reforms the American people overwhelmingly desire. Members of the 118th Congress should devote themselves to fixing our democratic systems by embracing the need for democratic reforms and leading discussions about them with the American people. This critical shift will refocus our government on protecting average Americans from gun violence and other dangers — and will, of course, also serve to protect and preserve the character of our representative democracy.

## LEVEL THE PLAYING FIELD

Corporations are people. Money is speech. States may disenfranchise. Politicians can choose their voters. Thus has the Supreme Court narrowly ruled in a string of cases that have reshaped our democratic institutions and how elections are conducted in America, giving an outsized voice to special interests and making it even harder for average Americans to be heard. Congress should introduce and move legislation that will reform our electoral processes and ensure that all Americans, regardless of their station, have an equal voice and an equal vote. Making our elections more fair, equitable, and accessible must be something we are all working toward. Like so many issues laid out in this Blueprint, securing our democracy is not a

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partisan issue — and we cannot treat it as such.

Likewise, let’s remember that two presidents in the last 25 years were elected despite failing to win the popular support of American voters, underscoring the counterintuitive and antidemocratic nature of our Electoral College. As a result, a majority of the current Supreme Court justices were appointed by presidents who lost the popular vote by large margins, and all Americans will be forced to live with the ripple effects of their decisions for a generation. We began to see the effects of this tilt with the decision issued last year in *NYSRPA v. Bruen*, a wholesale reinterpretation of the Constitution which dangerously restricts the ability of state and local governments to regulate the carrying of firearms in public spaces.

The majority of Americans support stronger gun laws — laws that would reduce deaths and injuries — but their voices are drowned out by the spending of special interests. America’s election laws allow groups like the National Rifle Association (NRA) to spend millions on political ads funded by anonymous donors. These dark money rules allowed them to spend over **\$50 million in 2016** and more than \$37 million between **2020** and **2022** in support of gun industry allies in federal elections.

## FILIBUSTER REFORM

There are many legislative reforms that will be critical to addressing the American gun violence epidemic, but such measures will likely be impossible to enact because of Senate rules governing the procedural filibuster. Whether it arose by mistake, oversight, or on purpose, the procedural filibuster has become an instrument of partisan gridlock, allowing a minority voice to hold the Senate hostage with the goal of inaction.

In 2013, a clear majority of senators supported a bill expanding Brady Background Checks — an expansion favored by more than **90% of Americans**

— but a procedural filibuster by a minority of senators representing a minority of Americans prevented the legislation from even coming up for a vote. Since then, more than **350,000 Americans have died** from gun violence, and millions more have been impacted. Enough is enough.

The Constitution explicitly allows the Senate to establish its own rules, and the Senate has changed the filibuster rules several times since the nation’s founding. Though we saw a glimpse of what it looks like for lawmakers to prioritize public safety over party politics with the passage of the Bipartisan Safer Communities Act, the gun industry’s allies in Congress will continue to use the filibuster as a tool to oppose popular, common-sense legislative advancements, like universal background checks, undemocratically flouting the will of the people.

Until it’s reformed or eliminated, the filibuster will remain a primary obstacle to gun violence prevention progress in the Senate, and the gun industry lobby will continue to wield the 60-vote threshold as a weapon against such progress. It is therefore imperative that gun violence prevention champions in Congress use their pulpit to make clear the extent to which this procedural tool is being used as a means of obstruction.

## EXPAND REPRESENTATION

The cornerstone of American democracy is the expectation that the will of the people will be exercised through their elected representatives. The founders intended this as both a means of reflecting the character of citizens’ desires and as a safeguard against the public’s passions. Yet the public and its desires are not to be denied; as Alexander Hamilton wrote in Federalist No. 71, representatives “appointed to be the guardians of those interests” may, with “time and opportunity for more cool and sedate reflection ... [nonetheless] serve [the people] at the peril of their displeasure.”

Today, millions of our fellow citizens have yet to

fully realize this piece of the American dream: selecting the guardians of their interests — and replacing these guardians when those interests go unmet. Congress has never been fully democratic — especially not the Senate, where states enjoy equal representation regardless of their population — but the democratic principles that define our republic have been withheld from too many for far too long, especially those who are disproportionately affected by gun violence.

In the 116th and 117th Congresses, the House took the bold step of passing legislation that would admit Washington, D.C., to the union as a state, and this legislature should once again take this measure up with haste. This is not about partisan politics; it is about representation. The District is a majority-minority community, long the most disenfranchised groups in the country, and if we are to realize justice in America, we cannot continue to allow such communities to languish without representation.

D.C. pays **higher federal taxes than 25 states** and has the **highest per capita federal tax rate** in the nation. It has a population greater than two states — and is close to surpassing two more — while suffering the **16th highest firearm mortality rate** in the United States, 35% higher than the national average. Every American should have a say in how they can best prevent gun violence in their own communities; that is what democracy is all about. However, when it comes to efforts to pass gun safety laws, citizens of our nation’s capital are often at the mercy of activist federal legislators with little interest in their needs, with measures routinely being traded away for issues that will never affect actual residents. With D.C. homicides on the rise — the vast majority of which are shootings — attempts by the District’s leaders to keep their communities safe are continuously tossed aside. As virtually all guns used to commit crime in the capital come from outside its borders, the local government needs federal solutions beyond its authority to implement. This pure violation of

civil rights is so grave and so dangerous that we need to take every step necessary to grant District residents full statehood and proper representation in Congress. It’s literally a matter of life or death. If we are to address gun violence and ensure that those most impacted have a seat at the table, we must set the stage to make D.C. a state and provide these citizens with meaningful — and long overdue — representation in Congress.

## Legislative References

- As part of the FY2023 omnibus appropriations bill, in December 2022, Congress passed the **Electoral Count Reform and Presidential Transition Improvement Act**, which takes much-needed steps to reform the process by which Congress counts Electoral College votes.
- In the 116th and 117th Congress, the House passed **The Washington, D.C., Admission Act**, which has already been reintroduced this Congress in both the **House** and the **Senate**.
- In the 117th Congress, the House passed the **For the People Act** and the **John Lewis Voting Rights Advancement Act**, which together would have taken crucial steps to strengthen our democracy by expanding and protecting voting access, among other things.

## AREA 2

# EXPAND THE BRADY BACKGROUND CHECK SYSTEM

The critical underpinning of all gun violence prevention laws is the Brady Background Check System. Without this foundational measure, no other gun laws can properly function. By all accounts, the Brady Background Check System has been extremely successful since Jim and Sarah Brady led its passage in 1993, preventing over **4.4 million unlawful gun transactions**. In 2018 alone, an average of more than **630 prohibited gun transactions were prevented every single day**.

While the Brady Background Check System established the essential framework for all other gun violence prevention laws, it does not and will not fix the issue of gun violence on its own.

Furthermore, gaps have emerged in the system as technology has progressed, and businesses and individuals have exploited loopholes for profit. While background checks prevent hundreds of thousands of prohibited transactions each year, today approximately **1 in every 5 gun sales occurs without a background check**, due in large part to the rise of gun shows and websites that facilitate private sales online. Also, under current law a licensed dealer may transfer a gun to a buyer after three business days even if the background check has yet to determine whether that buyer is legally eligible to purchase a gun, known commonly as the “Charleston Loophole.” This gap has allowed prohibited people to acquire firearms at an alarming rate: In just 2020 and 2021, at least **11,500 firearms were transferred to purchasers later determined to be prohibited**.

Closing these loopholes is overwhelmingly popular with the American public and must

be a priority in working toward a safer future. The Brady Background Check System saves lives, but to ensure that the system is actually comprehensive we must expand background checks, with reasonable and narrow exceptions, to cover every gun transaction, and we must further ensure that the system has adequate time to complete a background check before someone can take possession of a firearm. Congress should immediately consider measures to expand and strengthen the nation’s background check system to guarantee that our gun laws rest on a strong foundation.

## Key Facts & Messaging

### Enact Universal Background Checks

- Without background checks, it is impossible to keep guns out of the hands of prohibited individuals.
- Between 2020 and 2021, over **78.5 million Brady Background Checks** were processed by the FBI.
- Approximately **1 in every 5 gun sales is completed without a background check today** due to gun shows, private transactions, and the rise of websites that facilitate gun sales online.
- Gun homicide rates were cut nearly in half in the years since the Brady Law was passed, **falling an astonishing 41%** from 1993 to 2018.
  - All other gun-related crimes dropped substantially as well; assaults, robberies, and sex crimes **were 75% lower in 2011 than in 1993**.
- A common myth perpetuated by the gun lobby is that “criminals don’t follow the law.” This canard fundamentally ignores

## **APPROXIMATELY 1 IN EVERY 5 GUN SALES IS COMPLETED WITHOUT A BACKGROUND CHECK**

that the background check system regularly prevents hundreds of thousands of prohibited purchasers from acquiring guns every year.

- In fact, the overwhelming majority of **guns recovered in crime** in states which have expanded background check requirements come from states which have not, further highlighting the need for federal action.
- We need to expand background checks to cover all gun transactions so that prohibited purchasers cannot elude the vetting process by turning to private sellers posting on internet forums or running a gun show booth.

### Fix the Charleston Loophole

- The National Instant Criminal Background Check System (NICS) will reply one of three ways to gun dealers after a background check is initiated: proceed, denied, or delayed.
- Currently, if a NICS background check is not finished within three business days of when the check is initiated, federal law allows the sale to proceed by “default,” permitting the gun dealer to transfer a gun to a purchaser NICS has not cleared.
- **A “default proceed” transfer was completed in 2015 to a white supremacist and prohibited individual** who subsequently used the purchased firearm to massacre nine Black parishioners at the Emanuel AME Church in Charleston, South Carolina, exposing an area of weakness in our federal gun laws now commonly referred to as the “Charleston Loophole.”
- **More than 53,000 firearms have been sold to**

**prohibited purchasers since 2008** because of the Charleston loophole.

- The number of delayed background checks not addressed by NICS until the third business day has been as high as **600 in a 24-hour** period. This leaves little to no time for external agencies to respond to a NICS request for essential information about a potential purchaser before guns can be transferred by default.
- The surge in gun sales in response to the coronavirus pandemic has placed an enormous strain on the already overburdened system, exacerbating the backlog of checks to be completed before the window to complete them expires.
- The **Bipartisan Safer Communities Act** now provides NICS an additional 10 business days to complete background checks on individuals before a gun can be transferred if there is a potentially disqualifying record. However, this only applies to individuals under the age of 21 and only in cases where records may apply to a prohibiting offense committed as a juvenile.

### Legislative References

- The House of Representatives took steps to expand background checks during the previous Congress by passing the **Bipartisan Background Checks Act of 2021** and the **Enhanced Background Checks Act of 2021**, both with bipartisan support.

## AREA 3

# ADDRESS GUN VIOLENCE IN ALL ITS FORMS

It is difficult to fully grasp the complexity or diversity of gun violence in this country. Thousands of Americans are directly impacted by gun violence every single day as victims or survivors. Their lives, and the lives of those close to them, will never be the same. Likewise, millions more are indirectly impacted by gun violence borne out in seemingly intangible socioeconomic costs which directly perpetuate cycles of violence and poverty among our most vulnerable communities.

We at Brady know that the moral and strategic compass of the gun violence prevention movement will always be guided by the voices and leadership of survivors of gun violence. Brady is an organization founded on the idea that, by lifting up survivors and amplifying their voices, we can make policymakers understand what the very real consequences of inaction look like. It is for these reasons that survivors sit in leading roles within the Brady organization, and it is why we will continue to prioritize the voices of survivors in every aspect of our fight to end gun violence. Each survivor's story is unique, as is the pain of their loss. While common threads necessarily emerge among their circumstances, there is no panacea that will prevent all gun violence.

Suicide, the disproportionate impact of daily violence in communities of color, domestic violence, mass shootings, and every other form of gun violence all require individualized approaches because the root causes of such violence often differ. In order to find real solutions to these varying problems, policymakers must account for the ways in which gun violence impacts every community

differently. If we as a nation were able to do that in a meaningful way, we would undoubtedly reduce gun deaths and injuries while also improving intersecting issues such as economic injustice, of which gun violence is both a symptom and a cause.

Acknowledging again that the solutions listed below are nonexhaustive, Brady has cataloged policies and actions which would likely have the greatest impact on the gun violence epidemic in America. Recognizing both political and practical realities, we know that not all of the needed legislative reforms may be achievable in the near term. However, it is important that we continue to lay the groundwork for them through the bully pulpit by preparing an atmosphere in which they can move forward. Brady will continue to be supportive of our gun violence prevention champions in Congress and will be available as a resource as they seek to implement these policies.

*Note: The policies and actions outlined below are organized by the various forms of gun violence and have been left intentionally unsequenced.*

## TREATING GUN VIOLENCE AS A PUBLIC HEALTH EPIDEMIC

It is indisputable that American gun violence is a public health epidemic. In 2020, more than **45,000 people were shot and killed** in the United States — an average of more than 120 people every day, 12 of whom were children and teens. Americans kill each other with guns at **25 times the rate** of other high-income countries. According to the Centers for Disease Control and Prevention (CDC), gun deaths cost the American economy more than **\$900 billion in 2019 and 2020**.

For those that survive their injuries, gun violence leads to burdensome medical costs beyond those associated just with the shooting, as well as

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## **ACCORDING TO THE CDC, GUN DEATHS COST THE AMERICAN ECONOMY MORE THAN \$900 BILLION IN 2019 AND 2020.**

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additional medical and mental health issues and complications. For people who survive shooting injuries, **direct health care costs are roughly \$30,000** in just the first year alone — a more than a fourfold increase from baseline costs compared to peers who were not shot. Workers **who survive firearm injuries** experience a 40% increase in pain disorders, a 51% increase in psychiatric disorders, and an 85% increase in substance use disorders.

Despite rapid advances in medical technology and a heightened awareness of the gun violence crisis in communities across the country, gun injuries and deaths continue to rise in both rural and urban areas. In order to fully understand the scope of the problem and to identify the best policy solutions to prevent these deaths, we must treat gun violence as a public health epidemic and provide sufficient funding for the CDC and National Institute of Health (NIH) to conduct thorough, evidence-based research on the issue.

### **DISPROPORTIONATE IMPACT OF GUN VIOLENCE IN COMMUNITIES OF COLOR**

While firearm suicide accounts for nearly 3 in 5 gun deaths in America, the opposite is true in the most disproportionately impacted communities of color; for Black and Latinx Americans, most gun violence is interpersonal. The **numbers are staggering**: homicides account for more than 80% of gun deaths among Black Americans, who are over eight times more likely than white Americans to die by gun homicide. The gun homicide rate for Hispanics is more than double that of their white peers. The largest share of these killings occur in metropolitan communities; **nearly 90% of gun homicides** occur in such areas. More than **4 in 10 Americans** know someone who has been shot; that figure is nearly

60% for Black adults — the highest rate of any demographic in the United States.

Children in communities of color face these devastating impacts to the same degree as adults. Black children and teens are nearly nine times more likely than white children and teens to die by gun homicide, and Native American/Alaska Native children and teens also die from gun homicide at higher rates than white children. Firearm suicide has also **sharply increased among youth of color** in recent years, more than doubling among Black, Latino, and Asian teenagers — and increasing by a staggering 88% for young Native Americans.

The repercussions in communities of color **stretch well beyond** the victims of gun violence themselves. Communities burdened by fear and omnipresent shootings are not in a position to address quality of life issues, such as investment in collective spaces, that could actually address some of the root causes of gun violence. These impacted communities also bear **numerous societal costs**: depressed property values, lower rates of home ownership, fewer new retail and service businesses, diminished educational and economic opportunities, and lack of access to health care, healthy food, and social opportunities. All of these effects then become root causes themselves, creating unending cycles of gun violence perpetuated by “solutions” that often rely on over-policing and over-incarceration. In order to address community violence, we must break these cycles.

Addressing community violence requires a two-pronged approach. We must address the root causes of interpersonal violence — the “demand side” — or the impetus of violence will remain uninterrupted. We must also address the unfettered

flow of guns into impacted communities — the “supply side” — or efforts at violence intervention will be unable to overcome the readily available means of violence.

## Demand-Side Approach: Community-Based Solutions

- Black men, who make up just **7% of the U.S. population**, account for **53% of all gun homicide victims**, and gun violence alone **shortens Black men’s life expectancies** by more than four years.
- The **majority of gun homicides** occur in metro areas, and the majority of community gun violence occurs in largely disenfranchised areas.
- Being exposed to firearm violence — being shot, shot at, or witnessing a shooting — **doubles the probability** that a young person will commit violence in the next two years.
- Community violence intervention and interruption (CVI) programs approach violence reduction from a public health perspective, working to reduce violence — specifically gun violence — through measurable tactics.
- Communities have seen dramatic decreases in violence after funding community violence prevention and intervention programs, including hospital-based intervention programs.
  - Cure Violence, a model implemented in Baltimore, Chicago, New York City, and Philadelphia, has resulted in at least a **30% decrease in shootings and killings**. Another 25 cities saw **reductions in shootings and killings** as high as 73%.
  - Sacramento’s Advance Peace program saw a **22% reduction** in gun homicides and nonfatal shootings across its sites. For every dollar the city spent on Advance Peace,

it saved between \$18-\$41 in anticipated costs.

- Other analyses of CVI programs all over the country yield similarly positive results about the effect of such programs on rates of gun violence, including: CeaseFire (**Chicago, Philadelphia, and Boston**); Save Our Streets (**Brooklyn**); and Safe Streets (**Baltimore**).
- Gun violence imposes enormous fiscal costs on all communities and taxpayers. According to the CDC, fatal gun violence cost the American economy more than **\$900 billion in 2019 and 2020**. That’s nearly one trillion dollars without even considering nonfatal gun violence.
  - Losses in revenue and productivity due to the effects of gun violence are estimated to cost private employers **\$535 million** per year nationwide.
- A successful demand-side approach will recognize that many of gun homicide’s underlying root causes stem from systemic racism. As such, efforts to reduce racism in other spheres, including education, healthcare, and social mobility, can bolster community violence programs.

## Legislative References

- The 117th Congress provided historic levels of funding for CVI programs with the passage of the Bipartisan Safer Communities Act and through the FY 2023 appropriation process.
- Also during the 117th Congress, the House passed the **Break the Cycle of Violence Act** with bipartisan support.



## Supply-Side Approach: Gun Industry Oversight and Accountability

- Guns do not simply appear out of thin air into cities like Oakland, Baltimore, Chicago, and Washington, D.C. — all cities with strong gun laws and high gun violence homicide rates year over year.
- **Tens of thousands of guns are trafficked across state lines every year**, often from states with weak laws to states with much stronger laws:
  - 88% of crime guns traced in New Jersey come from other states;
  - 87% of crime guns traced in New York come from other states; and
  - 81% of crime guns traced in Massachusetts come from other states.
- Most of the cities impacted the greatest by gun violence have few, if any, federal firearms licensees (FFLs) within their city limits. Instead, FFLs that are the sources of crime guns to these places typically sit outside the communities in less diverse and more affluent suburbs.
- A small number of gun dealers are responsible for diverting guns to the criminal market. According to the latest available data, about **90% of crime guns can be traced back to roughly 5% of licensed gun dealers**.
- Gun tracing — the method for identifying a gun’s sequence of ownership from manufacture to first retail sale — is used to link suspects with firearms in criminal investigations, to identify potential trackers, and to detect in-state and interstate patterns in the sources and kinds of crime guns.
- Trace data used to be publicly accessible, pulling back the curtain on negligent and unlawful gun dealers, but the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has interpreted the Tiahrt Amendments as blocking it from releasing that data, shielding the industry from scrutiny.
- According to the National Crime Information Center, **2 million firearms were reported stolen** between 2008 and 2017. Between **2004** and **2021**, more than 337,000 firearms were reported lost or stolen just from licensed gun dealers.
- Gun dealers are not required by law to follow such common sense business practices as locking up inventory or performing background checks on employees; ATF **issues safety and security guidance to dealers**, but compliance is entirely voluntary.
- ATF has an internal goal of inspecting each FFL at least once every **three to five years**, which means the Bureau should inspect at least 20% of gun dealers annually — an undertaking which, unfortunately, it has long failed to accomplish:
  - A **2004 report** from the Justice Department’s Office of the Inspector General (OIG) found that ATF inspected only 4.5% of dealers each year. By **2019**, the inspection rate had reached 10% — still well below 20% — but, faced with the pandemic in 2020, it dropped precipitously back down to **4.5%**, rising slightly to **5.1%** of FFLs in 2022.
- ATF has also failed to hold rogue gun dealers responsible, **regularly downgrading penalties** for dealers that break the law.
- ATF consistently falls short enforcing the law against the gun industry, primarily because the gun lobby has tied the agency’s hands behind its back by denying it funding and hamstringing its leadership.

- In 2022, Steve Dettelbach became the first Senate-confirmed director to lead the agency since 2015 and just the second Senate-confirmed director in the agency’s history. This confirmation represented an essential step toward modernizing the agency and robustly enforcing the nation’s gun laws to address gun trafficking and reduce gun violence.
- Also in 2022, for the first time in U.S. history, the Bipartisan Safer Communities Act established firearms trafficking and straw purchasing as enforceable federal crimes with clear penalties for convicted offenders.
- These are crucial steps toward stemming the steady flow of guns into communities, but they are just first steps; Congress must take action to hold negligent dealers accountable by taking a supply-side approach.

## Legislative References

- With its passage of the Bipartisan Safer Communities Act, the 117th Congress took steps to address the supply side of community violence by including in the bill anti-gun trafficking provisions from the **Prevent Gun Trafficking Act** and by expanding the scope of individuals who deal in firearms to obtain a federal license.
- In the 117th Congress, the House also passed the **Protecting Our Kids Act**, which defined and clarified the crimes of gun trafficking and straw purchasing.
- Other bills introduced in the 117th Congress that would address this issue include:

- **H.R.4271**: Keeping Gun Dealers Honest Act
- **H.R.5245**: Gun Trafficker Detection Act
- **H.R.5678**: Firearms Retailer Code of Conduct Act of 2021
- **H.R.8271**: ATF DATA Act
- **H.R.8460**: ATF Improvement and Modernization (AIM) Act

## GUNS AND SUICIDE

Firearm suicides, which represent the greatest share of gun violence deaths in the United States, affect every American community. An average of **66 people** die by suicide with a gun every day, accounting for approximately **60% of all gun deaths**. From 2016 to 2020, more than 6,100 children and teens died by firearm suicide.

It is critically important to consider firearm suicide in particular because of its relative lethality. Firearms are extremely lethal compared to other common methods of attempting suicide; **less than 10% of all suicidal acts are fatal**, but about **90% of suicidal acts with a firearm** result in death (drug overdose, the most common method of attempting suicide, is **fatal in fewer than 3%** of cases). A “second chance” is an important factor in suicide prevention efforts, as the **vast majority** — 9 in 10 — of individuals who survive an attempt will not go on to die by suicide.

The U.S. veteran community is at an even greater risk for firearm suicide. In 2020, the suicide rate for veterans was **57% greater** than for non-veteran U.S. adults. Between 2001 and 2020, the veteran suicide rate increased by 56%, compared to a 16% increase within the non-veteran population and a 24% increase within the U.S. adult population over the same period. On average, more than 16

veterans die by suicide in the U.S. each day. Not only do veterans die from suicide at a higher rate than non-veterans, but they are also more likely to die by firearm suicide specifically: 71% of veterans died by firearm suicide in 2020, compared to 50% for non-veterans. Suicide was the **second leading cause of death** for veterans aged 18–44 in 2020, and veterans under 34 had a higher rate of suicide than all other veteran age groups.

Perhaps the greatest obstacle to preventing suicide from a firearm policy perspective is the element of impulsivity. While many aspects of suicide prevention lie outside traditional gun violence prevention work — like removing stigmas and misconceptions about suicide or improving access to mental and behavioral health care — there is one thing that we can address head-on to decrease the likelihood of death for those experiencing suicidal ideation: reducing access to lethal means. Access to a gun in the home **increases the risk of suicide death by 300%**. By limiting or delaying that access, many suicides could be prevented. For these reasons, we have focused below on two policy areas that will address both impulsive and non-impulsive firearm suicide.

## Key Facts & Messaging

### Extreme Risk Laws

- Extreme Risk Laws (sometimes called “red flag laws” or ERPOs) allow for individuals who are a risk to themselves or others to be temporarily separated from firearms by a court of law without criminal charges or a permanent prohibition.
- **Nineteen states and Washington, D.C.**, currently have versions of Extreme Risk Laws on the books. In the wake of the 2018 mass shooting at Marjory Stoneman Douglas High School in Parkland, FL, 12 states — including five with Republican governors — and the District of Columbia passed Extreme Risk Laws.
- ERPO mechanisms are particularly well-suited for preventing suicide. A study of Connecticut’s ERPO law found that nearly half of the state’s issued risk orders resulted in the provision of mental health treatment to people needing it — and that for every 10 to 20 orders issued, **at least one suicide was prevented**.
- Indiana’s ERPO law was associated with a 7.5% reduction in firearm suicides in the ten years following its enactment, and **one suicide was averted for approximately every 10 guns removed**.
- Extreme Risk Laws can also be used to prevent mass shootings. In the first three years of California’s ERPO law, there were at least **58 instances of orders** being used against individuals threatening mass shootings. In at least **21 of these cases**, none of the threatened shootings had occurred, and none of the risk order subjects were subsequently linked to homicides or suicidal acts.
- A 2022 study of ERPO cases from six states found that **10% were filed for mass casualty/ mass shooting events**, which was also the most common type of threat involved; 20% involved threats against K-12 schools; and 65% of the order subjects who made multiple victim/mass shooting threats had access to a firearm.
- The study also found that ERPOs were frequently used to prevent an individual threatening multiple victim crimes/mass shootings from purchasing or possessing a firearm. ERPOs prevented a number of respondents threatening maximum casualty massacres — only about half of whom indicated they had access to a firearm — from easily acquiring guns, highlighting the crucial role these orders can play in preventing

credible threats from escalating to actual violence.

- A **June 2022** national poll found that 72% of likely voters support ERPO laws, including 76% of independents and 57% of Republicans.

## Safe Storage and Ending Family Fire

- “**Family fire**” is a shooting involving an improperly stored or misused gun found in the home that results in death or injury. Unintentional shootings, suicide, and intentional shootings are all forms of family fire.
- Every day, **eight children and teens** are injured or killed by family fire. At least **4.6 million children** live in a home with an unlocked, loaded firearm.
- Safe storage saves lives. A 2005 study found that **one in four people** who attempted suicide deliberated for less than five minutes, and another 24% of people deliberated between five and 19 minutes. Firearm owners who keep their guns locked or unloaded have previously been found at least **60% less likely to die** from firearm-related suicide than those who store their firearms unlocked and/or loaded.
- More than **70% of the guns used in pediatric suicide attempts** were stored in the child’s own residence or the residence of a relative or friend.
- **Keeping guns locked and unloaded** has been found to have a protective effect against unintentional shootings and suicide among youth, reducing the odds of death by 73%; **storing ammunition separately from a firearm** reduces the risk of an unintentional shooting among youth by 61%.
- A significant majority — 70% — of parents believe their children cannot access the guns

they keep in their homes, but more than a third of teenagers say **they could gain access in less than five minutes** to a loaded firearm kept in the home.

- Even modest approaches that motivate households to safely store guns could **reduce youth firearm deaths by up to 32%**.
- Safe storage can also prevent guns from entering the illegal market. Gun thefts from cars, homes, and gun dealers are a large source of black-market guns. Between 2010 and 2016, **police recovered more than 23,000 stolen firearms**, most of which were subsequently connected to kidnappings, armed robberies, sexual assaults, murders, and other violent crimes.

## Legislative References

- In the 117th Congress, the House took steps to address the issue of safe storage by passing the following bills, all with bipartisan support:
  - The **Federal Extreme Risk Protection Order Act of 2021**, which included the **Extreme Risk Protection Order Act of 2021**.
  - The **Protecting Our Kids Act**, which included the **Kimberly Vaughan Firearm Safe Storage Act**, **Ethan’s Law**, and the **Safe Guns, Safe Kids Act**.

## GHOST GUNS

**Ghost guns are unregulated and untraceable firearms** that anyone can buy and build without a background check and without complying with

any other requirements mandated by federal or state law for traditional firearm transactions. Most ghost guns are constructed by individuals using unfinished frames or receivers, which are the parts of the firearm containing the operating features of the firing mechanism — and, because of this, the parts of a gun regulated by federal law.

Ghost guns undermine all existing gun laws and are intentionally marketed as such. Prior to 2022, an individual did not need a background check to purchase a ghost gun kit or parts, which allowed countless prohibited and dangerous individuals to build their own firearms. Constructing these untraceable weapons is easier than ever with YouTube tutorials available that explain step-by-step exactly how to put one together. As of December 2021, **the top five YouTube instructional videos on ghost guns had been viewed more than 3 million times.**

Once assembled, ghost guns look, feel, and function exactly like traditional guns — whether a handgun or assault weapon — and are just as deadly and dangerous in the wrong hands. These guns create a dangerous and challenging problem for law enforcement officers, who are unable to trace ownership of the weapons due to their lack of serial numbers — a “feature” that has succeeded in making them an all-too-frequent weapon of choice for crime.

In 2022, the Department of Justice under President Biden amended ATF regulations to clarify that **unfinished frames and receivers are encompassed in the federal definition of firearms,** making them subject to the same federal laws and regulations as all other commercially-made firearms. This means they must be serialized, licensed, and sold by a federally licensed dealer with a background check at the first commercial point of sale. Prior to 2022, if a frame or receiver had been “unfinished” to even a minute degree, it was completely unregulated and available for sale online, at gun stores, and at gun shows; now, those “unfinished” frames

and receivers are legally no different from other firearms.

Without question, this rule change was a crucial step in the right direction and represented an urgently-needed counter to the proliferation of ghost guns — but much more still needs to be done. These weapons have been linked nationwide to **homicides, suicides, school shootings, mass shootings, robberies, the shooting deaths of law enforcement officers, and acts of domestic violence.** From 2016 through 2020, law enforcement officers recovered more than **23,906 ghost guns** from potential crime scenes, and ATF was able to trace **fewer than 1%** back to an individual purchaser. In 2021 alone, nearly **20,000 ghost guns** were recovered across the country.

Furthermore, there is still ambiguity about which parts are regulated under the new definition, and the industry is predictably working hard to **circumvent** the rule change by taking advantage of that lack of clarity and lack of enforcement. Proper implementation and enforcement of the change could be delayed or halted due to litigation, and could be entirely reversed by a future administration. Perhaps most crucially, the rule change does not address the hundreds of thousands of ghost guns already in circulation that are wreaking havoc on public safety and undermining the efforts of law enforcement and community groups to curb gun violence.

## **GUNS AND DOMESTIC/INTIMATE PARTNER VIOLENCE**

In a country where one-third of women and one-quarter of men are victims of physical violence at the hands of an intimate partner at least once in their lifetime, the issue of domestic violence cuts across racial, gender, economic, sexual, generational, and religious divides. On the whole, the amount of individuals who experience this type of violence — and are killed in its course —

is shocking. Every year, 556 women are killed by a husband or male dating partner with a gun — an average of **one woman every 16 hours**. The mere presence of a firearm is a key factor in the all-too-common transformation of abusive partners into killers; women of any race or ethnicity are five times more likely to be killed by an abusive intimate partner when a gun is present during an incident of domestic violence, and Native American and Black women face particularly high rates of intimate partner homicide. Inter-partner gun violence is not limited to fatal interactions, however; firearms are also frequently used to intimidate, silence, threaten, and harass an abuser’s partner. These traumatic events leave survivors with emotional, and sometimes physical, scars of a time when a person they loved hurt them.

Prior to enactment of the Bipartisan Safer Communities Act of 2022 (BSCA), individuals had to be married to, live with, or have a child in common with a domestic violence victim in order to be prohibited from possessing firearms because of a misdemeanor crime of domestic violence conviction (commonly known as the “boyfriend loophole” or “dating partner loophole”). The BSCA updated this language to include dating partners convicted of misdemeanor domestic violence, who will now be prohibited from possessing guns for five years — provided they are not convicted of a violent crime during that period.

However, remaining legislative loopholes continue to put vulnerable populations in danger. Domestic violence records are **much less likely to be detected by a background check** due to inadequate reporting of domestic violence convictions by states. Furthermore, abusers can currently access firearms through private sales, which are not subject to Brady Background Checks. The consequences of these loopholes extend beyond the home, affecting all of us: Between 2014 and 2019, **60% of targeted mass shooting events** were either domestic violence attacks/violence against women or perpetrated by

someone with a history of such behavior.

## Key Facts & Messaging

- In 2020, at least **562 women were killed** by a husband or male dating partner with a gun, meaning a woman was killed by an intimate partner with a gun an average of every 15 hours.
- The mere presence of a firearm is a key factor influencing the process that turns abusive partners into killers. A male abuser’s direct access to a gun dramatically increases — by **more than 1,100%** — the likelihood that intimate partner violence he commits will become fatal.
- Black women are disproportionately the victims of fatal domestic violence with firearms, accounting for **30% of women shot and killed** by a husband or intimate acquaintance in 2020.
- A U.S. Secret Service National Threat Assessment study found that **41% of people who carried out a mass attack between 2016 and 2020 had a history of domestic violence**.
- Just in 2016, more than **4.5 million women** in America were threatened by a domestic abuser with a firearm.
- Inadequacies in the available records allowed domestic abusers to pass background checks and obtain guns at least **6,700 times** between 2006 and 2015.

## Legislative References

- The 117th Congress took several important bipartisan steps to address this issue by finally reauthorizing the Violence Against Women Act and by partially closing the “dating partner loophole” in the Bipartisan Safer Communities Act.

## TAKING ON THE GUN INDUSTRY

One of the major causes of gun violence in America is the irresponsible business practices of the gun industry that supplies the criminal gun market, a situation made worse by the unique and unprecedented protections these companies have been granted in federal and state law thanks to a quarter century of lobbying and backroom deal-making.

For example, in 2003, the NRA worked with U.S. Representative Todd Tiahrt (R-Kan) to insert language into a government funding bill that restricted the ATF from publicly releasing firearms trace data, thereby hiding from policymakers and the public crucial information about the true origins of guns used in the commission of crimes. These so-called “Tiahrt Amendments” have since been used to shield the most negligent gun dealers from all manners of scrutiny, preventing the public from learning almost anything about individuals, including the roughly 5% of licensed firearms dealers responsible for the sale of 90%

of crime guns whose identities are blocked from disclosure. Two years later, the gun industry scored another major victory, to the detriment of all Americans, with the passage of the Protection of Lawful Commerce in Arms Act (PLCAA), a law drafted in reaction to the impact litigation by cities and individuals that had begun to change firearms manufacturers’ and retailers’ dangerous business practices. PLCAA has been interpreted by some courts as providing these businesses with unheard-of protection from civil liability, undermining victims of gun violence and removing key incentives for the industry to adopt life-saving business practices.

In April 2022, Brady released a groundbreaking report analyzing the largest collection of trace data seen by the public in over 20 years from the state of Pennsylvania. The report found that the aforementioned trend of a vast majority of crime guns being traced to a small minority of FFLs remains true: 50% of the crime guns in the database which traced back to in-state dealers were sold by just 1% of the state’s licensed sellers, while 90% of crime guns were sold by 20% of dealers. This data demonstrates that upstream oversight of gun manufacturers, distributors, and the small number of dealers responsible for selling firearms that are diverted to the illegal market can have an outsized impact on gun violence. However, without a repeal of the Tiahrt Amendments, we will never have a truly comprehensive understanding of how crime guns spread around the country, nor who is most responsible for keeping up the endless flow of weapons — knowledge vital to reducing gun trafficking and staunching the misery and suffering

**ONE OF THE MAJOR CAUSES OF GUN VIOLENCE IN AMERICA IS THE IRRESPONSIBLE BUSINESS PRACTICES OF THE GUN INDUSTRY THAT SUPPLIES THE CRIMINAL GUN MARKET.**

that follow its deadly products into our biggest cities and our smallest towns.

The unique protections afforded the gun industry shield it from the oversight to which every other American industry is subject, running counter to what is widely considered a fundamental principle of the United States: that no one is above the law. We must end special treatment and ensure a level playing field by taking on the gun industry, removing its special protections, and ensuring transparency.

*Note: You will find redundancies in this section that were referenced in our supply-side strategies for combating community violence. Because these approaches are inextricably linked, we feel the redundancies are appropriate and necessary.*

## Key Facts & Messaging

- The gun industry, which continues to profit from the proliferation of firearms in America’s most vulnerable communities, has operated with near-impunity for too long. The gun industry is not above the law.
- **A small minority of irresponsible gun dealers** profit from dangerous business practices and have no accountability to their victims. No other American industry enjoys such protection from fundamental principles of civil justice.
- The gun industry must be held accountable for its role in driving America’s gun violence epidemic.
- Trace data used to be publicly accessible, pulling back the curtain on the negligent and irresponsible dealers who divert guns into the illegal market, but the **Tiahrt Amendments** have blocked ATF from releasing that data, shielding the industry.
- PLCAA has allowed firearm companies to

profit from supplying guns to the illegal market with little concern for the consequences. This protection makes victims of gun violence second-class citizens, interfering with every American’s right to seek civil justice in the courts.

- As the Superior Court of Pennsylvania recently recognized, **PLCAA is unconstitutional** because states have the authority not only to hold negligent gun dealers accountable in court, but to ensure that all victims have the right to seek civil justice against wrongdoers who cause them harm.

## Legislative References

- In the 117th Congress, several bills were introduced that would place appropriate checks on the gun industry and remove its special protections exacerbating the epidemic of gun violence. Some of these bills included:
  - **H.R.2814:** Equal Access to Justice for Victims of Gun Violence Act of 2022
  - **H.R.4271:** Keeping Gun Dealers Honest Act
  - **H.R.5678:** Firearms Retailer Code of Conduct Act of 2021
  - **H.R.8460:** ATF Improvement and Modernization (AIM) Act
  - **H.R.8570:** Responsible Firearms Marketing Act
  - **H.R.8271:** ATF DATA Act



## MASS SHOOTINGS

Mass shootings are an American epidemic that no other industrialized nation experiences at remotely the same level. Every year since 2019, our country has suffered **more mass shootings than there are days**, and 2021 saw nearly two mass shootings per day. Mass shootings account for only a small proportion of shooting victims in the U.S. every year, but their frequency is growing. Furthermore, the profound psychological harm and loss of life, coupled with the broad, varied, long-lasting, and under-studied ripple effects of these events, make it abundantly clear that mass shootings not only devastate survivors, their families and friends, and their communities, but have changed for the worse the psyche of the country as a whole.

Weapons of war, including military-style assault weapons with large-capacity magazines (LCMs) known for their ability to exact maximum destruction and casualties, are most often the firearms of choice for targeted mass shooters. From the tragic shooting that killed 20 students and 6 educators at Sandy Hook Elementary in 2012 to the massacres in Buffalo and Uvalde that left 31 dead a decade later, easy access to these uniquely lethal weapons and LCMs has proven a tragically consistent factor in mass shootings. Such weapons have no place on America's streets.

### Key Facts & Messaging

- **Assault weapons are consistently used in the deadliest mass shootings in America**, allowing for the most violence inflicted in the shortest amount of time.
- Between 2010 and 2020, the nine deadliest mass shootings all involved assault weapons and large-capacity magazines.
- **Six times as many people are shot** when an assault weapon is used compared to other types of weapons, and five times as many people are shot when shooters use a large-capacity magazine.
- The only functional difference between an **AR-15 and a military issue M4** is that the latter can shoot automatically or in burst fire mode. One of the reasons the AR-15 was chosen as the platform for the U.S. military because it could shoot through both sides of a standard issue helmet at 500 yards.
- Between 1976 and 2018, state laws banning LCMs were associated with **38% fewer fatalities and 77% fewer nonfatal injuries**. Between 1990 and 2017, mass shootings involving LCMs resulted in a **62% higher average death toll** than those without.
- During the decade that the 1994 Federal Assault Weapons Ban was in effect, gun massacres (defined as six or more people shot and killed) **fell by 37%**, and the number of people dying from gun massacres declined 43%.
  - In the decade after the ban expired, the U.S. experienced a **183% increase in such massacres and a 239% increase in fatalities**.
- After the federal assault weapons ban was adopted, the share of assault weapons recovered as crime guns **decreased by up to 40%** across several major cities.
  - Nine years after the federal assault weapons ban went into effect, the share of assault weapons traced to crimes **decreased by 70%**.
- The expiration of the assault weapons ban in 2004 quickly led to **37% of police agencies noting a rise in criminal use of such firearms**; 38% also reported a similar jump in criminal use of large-capacity magazines.

- A U.S. Secret Service National Threat Assessment Center report found that **73% of mass attacks in public spaces from 2016 through 2020 involved firearms**. Crucially, it also found that more than 83% of the attacks involving firearms were fatal, compared to fewer than half of those that did not involve firearms.

## Legislative References

- In the 117th Congress, the House took crucial action to address this issue by passing both the **Assault Weapons Ban of 2022** and the **Keep Americans Safe Act** with bipartisan support.

## NATIONAL SECURITY

The ease with which prohibited purchasers can access a firearm poses a serious threat to American national security. The catalog of firearms available to the average American consumer is incredibly diverse and includes firearms specifically designed for offensive, anti-personnel operations. We do not need to speculate whether the easy availability of such firearms creates opportunities for **radicalized individuals** to inflict **mass damage** on the **public**; it has never been a question of if it will happen, but when it will happen — again. In the shadow of **armed “militia” groups storming state capitols**, a recent assessment by the Department of Homeland Security ranks **white supremacist groups as the greatest terrorist threat** to Americans at home.

Ongoing trends in cross-border gun trafficking also continue to present a threat to our security interests. About **250,000 American-manufactured firearms are trafficked into Mexico every year**, many of which will move further into Central and South America, fueling drug cartels and other

criminal syndicates. The firearm homicide rate in Mexico is now four times that of America’s, and about **70% of the firearms recovered in crime there come from the United States**. While some may decry asylum seekers coming to our southern border, it should be noted that many of these individuals are fleeing political and criminal violence made possible by American guns.

Changes to the firearms export regime implemented by the Trump administration will further degrade U.S. national security interests abroad by directly exporting America’s gun violence epidemic. Semi-automatic firearms, including assault weapons, that were once under State Department and congressional review for export licensing have been transferred to the Commerce Department’s control, **removing key oversight and human rights considerations**, including Congress’ ability to prevent the approval of export licenses. Furthermore, the Trump administration rescinded the ban on overseas silencer sales, which had been instituted to prevent **terrorist groups from killing American soldiers with them**. These types of arms are used around the world to **suppress political opposition, murder civilians, and terrorize peaceful governments**, and **cartels and terrorist organizations** can exploit weak governments to get guns delivered to them. America’s arms sales should serve its national security interests, not endanger them.

## POLICE VIOLENCE

Police violence is the unlawful, unnecessary, or disproportionate use of force by law enforcement. Because police violence in all of its forms is facilitated by the direct use, threat, or perceived threat of firearms, **police violence is gun violence**. The prevalence of police violence is exacerbated by **deeply rooted racism in American culture**, the shocking **militarization of police**, insufficient police training and **dangerous policing tactics** and policies, and extreme **barriers to transparency**

**and accountability.** People of color — especially Black, Latinx, and **Native American people** — are **much more likely than white people** to be killed by police. Furthermore, police violence undermines the overall effort to combat gun violence by engendering distrust in communities that sorely need effective policing. As we work to tackle the gun violence epidemic in America, we cannot ignore police violence or its devastating effects.

Like all gun violence, there is no easy solution, no simple panacea, no one piece of legislation that will end systemic racism in policing and violence overnight and establish the essential reform, transparency, and accountability needed in communities across the country. In line with this, changes to policing must include each of these four elements: reallocation and reassessment of resources and authority from police to other services and organizations; reform of police practices; mandated transparency; and mechanisms to ensure accountability and justice.

## Key Facts & Messaging

- The presence of armed officers can unfortunately quickly escalate a crisis. In worst-case scenarios, **officers will use force on a person in crisis**, unnecessarily and unjustly killing or seriously injuring someone who simply needed the **care and support of social service professionals**.
- The U.S. suffers a disproportionate amount of police violence. In 2015 and 2016, there were an average of **four arrest-related deaths** in the U.S. every day. An interaction with a police officer in the U.S. is **10 times more likely to end in death** than in the United Kingdom.
- There is no standard in policing that affects more lives than the standard for the use of deadly force. We must adhere to human rights standards and establish clear and strict conditions for federal law enforcement officers to meet before using deadly force.

- **Federal law has enabled the militarization of police** by transferring excess military equipment from the armed forces to state and local law enforcement. We must limit this transfer of battlefield equipment to the civilian agencies and departments tasked with keeping our communities safe.
- People of color, those with disabilities, gender nonconforming individuals, the formerly incarcerated, those with uncertain immigration status, and people experiencing homelessness encounter disproportionate police contact that is inherently influenced by deep-rooted bias and stigma.
- The communities most impacted by gun violence are also most likely to be victims of police violence. At the same time, many in these communities decry ineffective policing and demand a new vision for public safety that will reduce gun homicide. Since many local violence intervention programs work to decrease rates of violence and homicides by addressing their underlying causes, reallocating portions of police funding into these programs could serve the dual purpose of preventing gun violence.

## HATE CRIMES

A hate crime is a crime motivated by **prejudice against core aspects of a person's identity**, such as race, religion, sexual orientation, gender identity, or disability. As prosecutors must prove this specific motivation of bias in court, **hate crimes are much more difficult to charge and prosecute**.

In 2021, **more than 8,600 hate crime offenses** were reported to the Department of Justice, nearly two-thirds of which were motivated by racism. In 2020, **hate crimes reached their highest levels** in more than a decade. Despite these numbers, only a handful of states have passed laws that prohibit those convicted of a bias-motivated misdemeanor

from buying guns.

Individuals with prior hate crime misdemeanor convictions are at an increased risk for future violence and firearm-related crimes, and the distinction between being convicted of a misdemeanor or a felony may not be entirely reflective of the crime committed or the potential danger to society. There is no better predictor of future violence than past violence, and individuals who exercise violence on the basis of hate present a clear danger to society. More than **86,000 hate crime offenses** were reported to the FBI between 2011 and 2021; however, like cases of domestic violence, such incidents are vastly underreported, further highlighting the need for action on this issue. Congress should act to close this loophole and withhold firearms access from all individuals convicted of violent hate crimes.

## PREVENTING DANGEROUS FIREARM POLICY

Strong gun violence prevention policies are proven to reduce violent crime and firearm deaths. However, in states across the country, many legislatures have acted at the behest of the gun industry and gun rights extremists to loosen standards on purchasing, possessing, and carrying firearms.

As laboratories of democracy, state laws can shed light on how such policies would operate on a federal level. The consequences of such lax laws are already bearing out, often with tragic and foreseeable outcomes. For example, in 2007, lawmakers in Missouri repealed a nearly century-old requirement that individuals obtain a permit in order to purchase a handgun. Over the next decade, the state saw both a **47% increase in firearm homicide rates** and more than a 23% increase in firearm suicide rates.

Now, the forces that have been pushing states to loosen gun restrictions are once again setting their sights on federal law. They will work tirelessly with their allies in Congress to impose permissive and dangerous firearms policies on the entire nation, fomenting fear of violent crime — a top driver of gun sales — and gravely threatening public safety.

At present, two policies have the strongest support among allies of the gun industry in Congress and are likely to be proposed at the federal level: the implementation of unregulated national concealed carry and the deregulation of silencers.

### Unregulated National Concealed Carry

Long a top priority for the gun industry, the **Concealed Carry Reciprocity Act** would allow virtually anyone to carry a concealed handgun almost anywhere in the United States, regardless of state law, and would disincentivize law enforcement from ensuring that individuals carrying concealed firearms are doing so lawfully. It would do so by:

- Establishing a federal statutory framework for carrying concealed handguns that would supplant state laws, allowing anyone to carry a concealed firearm in any state as long as either 1) they are licensed to do so in their own state, or 2) the state where they reside does not require a permit/license to carry a concealed handgun;
- Preventing law enforcement from arresting or detaining anyone carrying a concealed handgun who has ostensibly satisfied the above requirements, even if they are in violation of state or local law where they are carrying the handgun, unless there is probable cause that they may not legally carry a concealed firearm in their own state;
- Allowing individuals arrested for carrying a concealed handgun to use this law as an

affirmative defense, and requires states and local governments to cover their attorney fees; and

- Creating a private right of action for an individual to sue any state or local government for damages should they be deprived of their right to carry a concealed firearm.

**Previous iterations of this legislation** required individuals to present a valid concealed carry permit issued by their own state. However, emboldened by the passage of **permitless carry laws in half of all states** across the country, the gun industry and gun rights extremists have leaned on their allies to push for unregulated concealed carry in every state through federal law.

This legislation will prevent states from meaningfully or effectively regulating the public carry of concealed handguns. As law enforcement officers will be unable to determine whether individuals are lawfully carrying firearms and will be civilly liable if they even attempt to detain or arrest an individual to make that determination, they are disincentivized from enforcing the law. Ultimately, this legislation will allow nearly any individual to carry a concealed handgun across state lines, regardless of their criminal history, with little fear of recourse.

Contrary to what proponents argue, permitless carry laws are associated with higher levels of gun deaths and violent crime. In states that have adopted them, such laws have been associated with a **13% increase in firearm homicides and a 29% increase in violent gun crime**. In the year following the June 2021 signing of a permitless carry law in Texas by Gov. Greg Abbott, mass shooting incidents in the state **rose by 62%** — and the number of mass shooting victims doubled. Not only do such laws lead to an increase in interpersonal violence, but they are also associated with a nearly **13% increase in officer-involved shootings of civilians**.

## Deregulating Silencers

Another top priority for the gun industry is to deregulate firearm silencers, also known as “suppressors,” which are devices that muffle the sound of a gun when it is fired, making it harder for law enforcement and bystanders to react accordingly.

Congress took necessary public safety action to regulate silencers **during the Prohibition era** because of their common use by organized crime. The 1934 **National Firearms Act** (NFA) was the first federal regulation of guns in America. This vital law ensures that the purchasers of particularly lethal firearms and accessories receive heightened scrutiny, including background checks, fingerprinting, photo identification, and a transfer tax. The **Hearing Protection Act**, first introduced into Congress in 2017, would remove silencers from the list of items considered “firearms” under the National Firearms Act, making them available to the public without any additional requirements.

The nation witnessed how dangerous silencers are in the wrong hands during the mass shooting in **Virginia Beach in 2019**, where workers in the municipal building were unaware that someone was attempting a mass murder despite the shooter firing dozens of rounds in their immediate proximity.

# CONCLUSION

There is no one solution to save lives from the epidemic of American gun violence. The responsibility to act is shared among our elected leaders, our communities, and ourselves. The 118th Congress can take a leading role by enacting life-saving laws and fully funding key agencies tasked with upholding the law, as well as intervention and research programs that can break cycles of violence in communities across the nation.

Positive change can happen, and the 117th Congress took bold steps to move us in that direction. We are at a pivotal moment in time, again prepared to make history alongside members of Congress and an administration with a mandate to take on this challenge. The American people have made it clear that this problem can no longer be ignored, and we at Brady are committed to working with you to ensure that life-saving change and comprehensive solutions are delivered to the American people.

From our earliest days, it has been Brady's solemn duty to ensure that future generations will not live in fear of gun violence, and toward that end we are committed to supporting our champions in the 118th Congress. Lives are at stake, and it is in our hands.



***TAKE ACTION  
NOT SIDES***