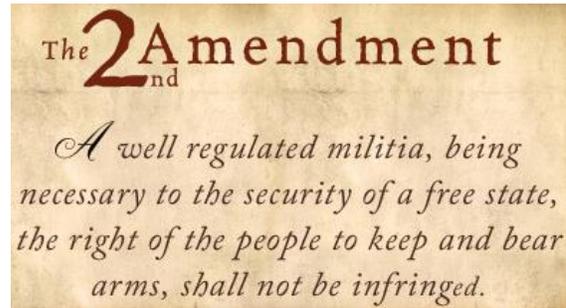


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 **THE 2<sup>ND</sup> AMENDMENT,  
THE RIGHT TO BEAR ARMS,  
and GUN CONTROL:  
Where do we go from here?**



Stephen L. Bakke  June 1, 2013



Those who receive my reports are subject to my personal whims for choosing subject matter. This topic has intrigued me and for over a year and about six months ago it all came to a head. After the Newtown/Sandyhook killings, the President assigned VP Biden a “quickie” project to study the subject of guns and violence, and to come back with legislation for rectifying the problem of mass violence in the U.S. And he wanted it done in approximately one month.

I looked at that time frame, the size of my file, the number of reports and books I have accumulated, and felt that only a “schlocky” job could be done in a mere month! That’s when I began to focus on bringing together all the information I had been gathering for months. While the proposed “Biden inspired” legislation wasn’t passed, the frustration of gun control enthusiasts is palpable and clearly, through actions and statements, they and the President have promised to address the issue again, **ASAP**.

This report is intended to “take stock” of what I have written about so far, and to give you some idea of the vast body of information available on the topic of guns/gun control/violence, etc. In future reports I will summarize some astoundingly thorough studies that have been completed in recent years. I don’t think many of the experts who produced this information were called to testify before Biden’s “quickie committee.”

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In recent months you have received **EIGHT** of my reports on the related topics of “the 2<sup>nd</sup> Amendment, guns, gun control, and the right to bear arms”. You can find those reports at my website under the “Policy and Political Commentary” tab. Here’s a recap of what I’ve observed or concluded so far:

- *Obama prefers quick reaction over careful study of the problem of mass violence;*
- *the Founders were reacting primarily to the threat of British tyranny and its intention to disarm the American Colonies;*
- *the Founders were also very sensitive to the right of general self defense;*
- *the term “militia” must be understood to represent an individual’s right to bear arms, as well as more formal, hopefully temporary, joining together to form a military;*
- *there are in fact modern applications for establishing a “militia”(e.g. school security);*
- *recreational hunting can’t be stretched into a modern interpretation of the intent of the 2<sup>nd</sup> Amendment;*

- *since the 2<sup>nd</sup> Amendment is part of the “unalienable” Bill of Rights which were “endowed by our creator,” it is unlike another phrase in the “Constitution” and any elimination thereof would be a huge Constitutional war – it won’t happen;*
- *embedded in all of what the Founders said and wrote seems to be a presumption of order and competence, achieved through rules, regulations, and limited controls – i.e. gun control of some kind isn’t contrary to their intentions;*
- *after reviewing modern legal commentary, I find that they DON’T preclude some form of required training, control, and regulation;*
- *given the extreme comments by certain leaders of the gun control movement, some “paranoia” by gun enthusiasts can be expected and forgiven;*
- *strong supporters of aggressive gun control include a very interesting cast of characters – some just conventional progressives, some slightly (at least) unsavory politicians, and some very disgusting contemporary and historical characters;*
- *the current definition of “assault rifle” is based mostly on appearance not firepower, i.e. based on cosmetics, not how lethal it is! What a waste of time and resources!;*
- *regarding the status of “Rights” in our country, we must guard against the temptation of making the government the provider of this myriad list of “manufactured rights.” Neither they, nor the legitimate “Unalienable Rights” can possibly be provided by government – only protected from being infringed upon;*
- *there’s been a lot of foolishness – stupid and silly comments – made by gun control worshippers and 2<sup>nd</sup> Amendment critics. Listening to these motivated me to jump at this topic with enthusiasm that probably wouldn’t have otherwise existed; and*
- *it’s important to remember that modern societies have NOT eliminated the threat of tyranny. In fact, while physical tyranny by force is still a reality, the situation has been complicated by other types of oppression including intimidation, manipulation, demagoguery and misinformation.*

*I am neither a gun enthusiast and passionate second amendment supporter, nor a frantic gun control crusader. We have a penchant in America for having emotional reactions which lead to impetuous congressional decisions and ultimately foolish regulatory legislation. Let’s investigate the situation independently, and implement a combination of things that address the problem and not just administer an emotional sedative. If availability of guns is the problem, then what’s the evidence? How much of the problem is mental illness? Is it an economic issue and/or a cultural issue? And so on. And what are true solutions? DON’T JUST JUMP TO EMOTIONAL, KNEE-JERK, FEEL GOOD CONCLUSIONS AND ATTEMPTS AT SOLUTIONS! I want to move in the direction of true public safety rather than sacrificing a fortune implementing ineffective policies. – Stefano Bachovich, obscure but very wise political pundit – an enthusiastic and prolific purveyor of opinions on just about everything – SB’s primary “go to guy.”*

**Right on Mr. Bachovich!** We must show proper respect for the complexity of the problem, and the enormity of any potential solution. I wanted facts so I looked for them.

The balance of this report is a list of many of the sources of information I will use to finalize my remaining reports on completed research about guns and violence. Also included are some less formal interpretations of data and related commentary. In many cases I used the complete books and studies. In others I relied on extensive executive summaries. In a few cases I only used brief summaries of conclusions reached. I believe I have an accurate sense of what is “out there” in the public domain regarding research on firearms, gun control, and violent crime - many are listed

here. I encourage you to take a look at some of these. A few are easy reading, but many are heavily technical in nature. I was stunned by the volume of information available. Many of the listed studies were inspired by the three editions of “More Guns Less Crime” by John R. Lott, Jr. Again, I don’t recall that much of this information was considered by Biden’s “quickie committee.”

### Books, Research Projects and Other References

- ***An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*** (2004) – for the National Institute of Justice, United States Department of Justice – by Christopher S. Koper
- ***Control – Exposing the Truth about Guns*** (2013) – by Glenn Beck
- ***Dissent: A Critical Review*** (2005) – by James Q. Wilson
- ***Does the Right to Carry Concealed Handguns Deter Countable Crimes? Only a Count Analysis Can Say*** (2001) – by F. Plassmann and T. N. Tideman
- ***Firearms and Violence: A Critical Review*** (2004) – for the National Research Council of the National Academies and National Academies Press – Charles F. Wellford, John V. Pepper, and Carol V. Petrie, eds
- ***Freakonomics (2005)*** – by Steven Levitt and Stephen Dubner
- ***Gun Ownership as a Risk Factor for Homicide in the Home*** (1994) – by Arthur L. Kellerman (Emory University), et al.
- ***Guns and Violence – The English Experience*** (2004) – by Joyce Lee Malcolm
- ***Homicide and Suicide Rates Associated with Implementation of the Brady Handgun Violence Prevention Act*** (2000) – by Jens Ludwig and Philip Cook
- ***Impact of the Brady Act on Homicide and Suicide Rates*** (2000) – by John R. Lott, Jr.
- ***Investigating the Link between Gun Possession and Gun Assault*** (2009) – by Charles C. Branas, Therese S. Richmond, Dennis P. Culhane, Thomas R. Ten Have, and Douglas J. Wiebe
- ***Michigan Sees Fewer Gun Deaths – with More Permits*** (2008) – Detroit Free Press
- ***More Guns Less Crime – Understanding Crime and Gun Control Laws***, first, second, and third edition (1997 - 2010) – by John R. Lott, Jr.
- ***More Guns More Crime*** (2001) – by Mark Dugan
- ***Multiple Victim Public Shootings, Bombings, and Right-to-Carry Concealed Handgun Laws: Contrasting Private and Public Law Enforcement*** (1999) – John R. Lott, Jr. and William M. Landes
- ***Myths About Gun Control*** (1992) – by Morgan O. Reynolds and W. W. Caruth III (for National Center for Policy Analysis)
- ***Nondiscretionary Concealed Weapons Laws: A Case Study of Statistics, Standards of Proof, and Public Policy*** (1999) – by Ian Ayres and John Donohue
- ***Privately Produced General Deterrence*** (2001) – by B. L. Benson and B. D. Mast
- ***Resisting Crime*** (2004) – by Jongyeon Tark and Gary Kleck
- ***Right-to-Carry Concealed Weapons Laws and Homicide in Large U.S. Counties: The Effect on Weapons Types, Victim Characteristics, and Victim-Offender Relationships*** (2001) – by D. E. Olsen and M. D. Maltz
- ***Safe Storage Gun Laws: Accidental Deaths, Suicides, and Crime*** (2001) – by John R. Lott, Jr. and John Whitley
- ***Self-defense with Guns: The Consequences*** (2000) – by Lawrence Southwick Jr.
- ***Summary of Select Firearm Violence Prevention Strategies (2013)*** – for the National Institute of Justice, United States Department of Justice – by Greg Ridgeway, Ph.D
- ***Testing for the Effects of Concealed Weapons Laws: Specification Errors and Robustness*** (2001) – by C. E. Moody

- ***The Debate on Shall-Issue Laws*** (2008) – by Carlisle Moody and Thomas Marvell
- ***The Impact of Gun Laws on Police Deaths*** (2001) – by D. B. Mustard
- ***The Final Bullet in the Body of the More Guns, Less Crime Hypothesis*** (2003) – John Donohue
- ***The Newtown Tragedy: Complex Causes Require Thoughtful Analysis and Responses*** (2013) – for The Heritage Foundation – by John G. Malcolm and Jennifer A. Marshall
- ***Understanding Why Crime Fell in the 1990s: Four Factors That Explain the Decline and Six That Do Not*** (2004) – by Steven Levitt
- ***Uniform Crimes Reports*** (various years) – FBI
- ***Using Placebo Laws to Test “More Guns, Less Crime,”*** (2004) – by E. Helland and A. Tabarrok
- ***Victim Resistance and Offender Weapon Effects in Robbery*** (1993) – by Gary Cleck and Miriam A. Delone
- ***Studies regarding the affect of media (TV, electronic games, etc.) on violence*** – many studies were noted.
- ***National Instant Criminal Background Check System (NICS)*** – reports from the FBI’s system for gauging the number of new gun purchases.
- ***Bureau of Justice Statistics studies*** – Government source for gun-related homicides.
- ***Pew Research Center reports*** – Information generated on gun-related homicides.
- ***National Crime Victimization Surveys*** – gathering data for the DOJ for thirty years.
- ***Gallup Polls*** (various)
- ***Various other studies*** - National Institute of Justice, NRA, National Academy of Sciences, Task Force on Television and Society, studies in magazines Youth Violence and Juvenile Justice and Journal of Experimental Social Psychology, and many more.
- ***Brief Commentaries (from experts and others)*** – Justice Stephen Breyer, Chuck Norris, The Hill, Mother Jones (magazine), James Alan Fox (Northeastern University criminologist), New York Times editorials, Washington Post editorials, David Hemenway (Harvard, Injury Control Research Center), Alan Dershowitz (attorney), Sen. Dianne Feinstein, Mayor Michael Bloomberg, Mayor Cory Booker, Daily Kos, American Academy of Pediatrics, and many more (e.g. Piers Morgan, Rachel Maddow, Stephen King, Michael Moore, E.J. Dionne Jr. [Washington Post], et al.)

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