

Gun violence is not Constitutionally protected

I have been a gun owner all of my adult life. I have been an NRA member for most of my adult life. I have been a supporter of the Constitution ever since my introduction to it back in grade school. I respect life in all of its myriad and wonderful forms. I do not hunt or kill animals. I use my firearms to protect my home and my person. I also use them for target practice so that I can maintain a reasonable level of eye/hand coordination. I support the Second Amendment, but with certain restrictions.

One of those is to keep any and all firearms out of the hands of mentally deranged or disturbed individuals. The two mass shootings in El Paso and Dayton this last week were simply the last straw for me. We must do something and fast to prevent even one more person from destroying the lives of innocent people with a gun. While it is true that guns do not kill people, we law-abiding gun owners cannot take refuge behind that expression of semantics. We have a duty to act - to protect the rights of all of us who are in our right minds and stay on the right side of the law against all the zealots who would remove every last gun from us. Gun confiscation is not the answer to ending murder in America, especially when it comes to those who are mentally incapable of using them, properly.

How then do we end the gun-related violence that has plagued us for so many years? Anti-gun groups are quick to point out the number of deaths by firearms. Every day, 100 Americans are killed by guns, totaling 36,383 per year, but critics are slow to acknowledge that, of that figure, 22,274 or 61% of those deaths are suicides; 12,830 are homicides and 487 are unintentional deaths (accidents). There are two other categories: shootings by law enforcement and 'undetermined,' but they are extremely low numbers and do not represent any major trends.

If you compare our 'suicide by gun' rate with that of other well-to-do countries, we're ten times higher, but it must also be stated that these countries do not have constitutions like ours that give their citizens the right to keep and bear arms. In fact, all have severe restrictions on gun ownership. Does that mean that if we adopted the same regulations against gun ownership we could save 20,000 lives from gun-initiated suicide each year? No one can be sure, but statistically I guess you could make that case. (Incidentally, about 74% of the suicide by gun population are White men.) You could also surmise that we would be able to prevent a significant number of gun-initiated homicides, too, I suppose. Let's say that we could save 10,000 people from death by gun in that category. Now we're up to 30,000 people/year.

But before I go down that path of reasoning, let me give you a few stats about gun homicides. Gun homicides are concentrated in cities. Half of them took place in only 127 cities across the country which represent about a quarter of the entire U.S. population. Within these cities, gun homicides are most prevalent in racially segregated neighborhoods with high rates of poverty. Black Americans represent the majority of gun homicide victims. In fact, Black Americans are 10 times more likely than White Americans to die by gun homicide. When it comes to non-fatal gun injuries, 3/4 of them are caused by assaults. Black males are 15 times more likely than White males to be shot and injured in assaults involving guns. Okay, let me segue into an explanation. Because of the tendency of many people to cry 'racism' when statistics about America's minorities are presented, I have to say that my point here is to show the unfortunate reality that the Black community is under siege -- by its own people -- when it comes to gun-related assaults and murder. This is not a racist statement. It is, however, one of fact.

Another terrible statistic is that nearly 1,700 children and teens die by gun homicide every year. For children under the age of 13, these gun homicides most frequently occur in the home and are often connected to domestic or family violence. Would the elimination of guns eliminate the tendency towards committing violence or murder in the home? No one knows for sure, but I doubt it.

When it comes to gun violence against women, in an average month, 52 American women are shot to death by an intimate partner and many more are injured. Nearly one million women alive today have been shot or shot at by an intimate partner and around 4.5 million American women alive today have been threatened with a gun by an intimate partner. Access to a gun in a domestic violence situation makes it five times more likely that a woman will be killed. Again, would the elimination of a firearm eliminate anger against a spouse? Probably not.

In 2017 (the latest statistic I could find), there were 17,284 murders committed in the USA. On a per capita basis, Louisiana was the most dangerous state and the least dangerous one was New Hampshire. As expected, the most populous states had the most murders: California had over 1,800 murders, Texas over 1,400, Florida and Illinois right at 1,000. According to the FBI's data, about 1,500 people are stabbed to death each year; over 400 are clubbed to death; about 700 are physically beaten to death by 'personal weapons' (hands, fists, feet, etc.) and about 200 are murdered by fire and strangulation. The numbers go way down for other methods like murder by explosives, poisoning and drowning, for example.

What if firearms were taken out of the arsenal of would-be murderers? What would the result be? My personal feeling is that people who were prone to commit murder would find other means to do it like picking up a baseball bat or a brick or a frying pan and bludgeoning their victims to death. Maybe they would run over them in their cars or push them out of high-rises. Murderers can also be creative people, especially when the murders they commit are pre-meditated that it is to say, well thought-out and planned in advance. Murderers speculate about the means they will use. They know that murder by gun is noisy and attracts unwanted attention. Plus, law enforcement has sophisticated ballistic technology enabling them to connect a projectile to a specific gun and then be able to trace the gun to the killer.

Since guns are relatively inexpensive to purchase, easy to get and easy to use, it is no wonder then that they are the weapon of choice for most murderers, despite the downside of noise and police forensics. And semi-automatic weapons with large magazines are the firearms of choice for those intent on killing more than one person. Most of the handguns and rifles sold in the U.S. today are of the semi-automatic variety. Nobody knows for sure how many semi-automatic rifles like the Ar-15 are in the hands of American gun owners, but we do know that it is the most popular platform of large magazine rifles sold today. It is estimated that they represent only 3-5% of the current total arsenal of 320 million weapons in circulation in the U.S. By adding high-capacity magazines or clips, or modifying them, these rifles can fire many rounds as fast as the shooter can pull the trigger.

They are not, however, true 'assault weapons' (fully automatic weapons) like the media likes to portray them, but they are relatively light and can accommodate rapid firing which is why mass shooters prefer them. Should these weapons be banned from sale or should they be limited to only those who have passed a mental health exam?

That's where we're headed with the gun debate...to expanded background checks and to mental health exams. The expanded background checks will come first because that's the 'easier' bite of the apple. In addition to cross checking gun registries and criminal databases, the current method now employed could be expanded to include a sign-off or release from the gun purchaser's doctor.

If this were to happen on a national or even state level, think of the extra expense, the extra time and increase in bureaucracy this would entail. No longer could applicants be 'cleared' while they wait at a gun store for permission to purchase a firearm. It could take days or longer. It is my view that this is precisely what the anti-gun lobby wants...to put up additional roadblocks to gun purchases and gun purchasers and to lengthen the approval times in the hopes of dissuading the purchaser. They see it as one more reason to adopt a government-run system of healthcare so that the government-paid and supervised physicians would be required to perform mandatory firearm 'sanity checks' on all persons appearing before them. This would put doctors in the position of lordling over the Second Amendment by becoming a vetting agent.

No one is arguing that mental illness should not be used as a reason to stop sick people from buying guns. However, a case must be made against a coercive intrusion into the personal lives of citizens whose ability to purchase a gun would be regulated by a mandatory diagnosis of their mental state by their family doctor or a nurse practitioner. That would be an abuse of power and an infringement on our right to privacy, guaranteed under the First Amendment. Having said that, physicians and psychiatrists already have a responsibility to notify parents of their childrens' mental instability and the authorities of adults' propensity or tendency for violence based on a diagnosed mental condition.

There is no need to go any further with additional laws or demands on them. What we do need is closer observation of our family members, friends, neighbors and co-workers. To that we should add better monitoring of social media posts that would flag an individual who was going off the deep end and making threats against other individuals or groups of people who could become the next victims of a mass shooting. This is a slippery slope for those advocates of an unfettered First Amendment who do not want any form of government or private sector censorship or surveillance, but I believe that we have reached the tipping point where the protection of the general public mandates more scrutiny, especially of social media.

The mass shootings in El Paso, Texas and Dayton, Ohio bring us over the 250 mark of mass shootings recorded in 2019 and we're only halfway through the year. *Incidentally, a mass shooting is any shooting of four or more people.* Something must be done, and it is up to all the law-abiding and responsible gun-owners in this country to start policing their own. We must work together to come up with some realistic and Constitutionally defensible ways to reduce indiscriminate and wanton gun violence. If we don't, the government will surely do it for us, and I can pretty much guarantee that their solutions won't please the majority of gun-owners.

We must also encourage organizations like hunting and sport-shooting associations and larger organizations like the NRA and medical groups like the AMA and others to spearhead the conversation on responsible gun ownership that will lead to the creation and implementation of sensible measures to identify mentally-ill persons and deny them access to firearms. Congress has an obligation as well. It should reject the calls for banning specific firearms and instead focus its efforts on the real causes of gun violence: dysfunctional families, mental illness and the pervasive glorification of violence. We must not put off until tomorrow what we can effectively do today. Ignorance of the real problem cannot be an acceptable solution. Gun owners and would-be gun banners must seek common ground and work towards some mutually-beneficial fixes, full-well knowing that Americans are never going to give up their guns. That must be the starting point along with a deep-seated desire by both parties to stop the attacks that are threatening the very fabric of our society.

Unless we come together as one, we will push both sides farther apart and make America's gun violence problem impossible to solve...and we will reap the whirlwind of more senseless deaths.

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