

This gun policy platform could help reduce gun violence by 28%, researchers say

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It starts with a fairly simple premise: A majority of people, no matter which side of the political aisle they occupy, believe that someone with a history of violence should not be able to have a gun. This common

ground between gun owners and non-gun owners is the basis for a policy platform proposed in a report out today from Tufts University School of Medicine experts, who led research into the topic, and 97percent, a bipartisan organization of gun owners and non-gun owners committed to reducing gun deaths.

In Part I of the work, released last month, among other areas of common ground, Tufts School of Medicine experts found that 66% of gun owners surveyed were very concerned about the high level of gun violence in this country and more than 70% of them want to help reduce gun injuries and death.

Part II outlines a proposed gun policy platform that flows directly from the shared principles the initial research found between gun owners and non-gun owners. The advantage of such a policy is that it has a better chance of being supported by a wide swath of the population, says Michael Siegel, professor of public health and community medicine, who led the research.

"This is the first time I'm aware of that anyone has tried to craft a platform based on the common ground between gun owners and non-gun owners," he says. "This policy proposal goes into the nitty-gritty details of exactly what would be included in the laws, because our research explored the specific provisions of laws which we found were critical to the support or opposition of gun owners."

According to the Centers for Disease Control and Prevention, the firearm homicide rate in the U.S. increased almost 35% from 2019 to 2020. And from 2020 to 2021, the percentage of homicides attributed to gun injuries increased from 79% to 81% —the highest percentage in more than 50 years.

"We now have a research-backed package of gun safety policies,

supported by non-gun owners *and* gun owners, that works holistically to meaningfully reduce [gun deaths](#)—while respecting the rights of law-abiding gun owners," adds Adam Miller, co-founder of 97Percent.

"The myth of an intractable divide on this issue is just that: a myth. We not only found common ground; we've identified solutions rooted in it that leverage gun owners' perspective and expertise, have been proven effective, and can serve as a roadmap for gun safety moving forward."

There are four policies the researchers estimate could reduce overall gun-related homicides by up to 28% and gun-related suicides by 6%:

Violent misdemeanor laws

The first policy stems from the idea that people with a history of violence should not have access to a gun. Research shows that people most likely to commit firearm violence are people who have a history of violence. The problem, Siegel points out, is that under current federal law, unless someone commits a felony offense, they are not prohibited from having a gun in some states.

In those states, for example, someone could commit assault, stalking, and/or threaten violence—all of which can be misdemeanors, not felonies—and even if they are found guilty, they can continue to own a gun. Some states have closed this loophole, but most have not. If this proposed policy package were adopted in every state, then if someone committed a [violent crime](#), whether a felony or misdemeanor, they could not have a gun, no matter where they live.

Universal background checks

Logically, Siegel continues, there needs to be a way to know whether

someone has a history of violence, and the only way to do that is to run a background check. In some states, when a person buys a gun, the retailer must run a point-of-purchase background check.

"Our research on the effectiveness of gun laws is that a state permitting system would be far more effective," says Siegel. "In order to get a state permit, someone would have had background checks at the state and federal levels. And there's overwhelming research that state background checks are more thorough than the federal checks."

Once a person has a valid permit, they would show that to a retailer instead of a point-of-purchase background check. Gun permits are valid for five years and then need to be renewed. If during those five years, someone commits a crime that makes them ineligible for a permit, there must be prompt reporting to the state, which would need to rescind the permit immediately.

Gun permit laws

A state gun permitting system has multiple benefits for gun owners, Siegel says. "Say you live in a rural area, your brother comes to visit for the weekend, and you decide to go hunting. Your brother has a gun permit but did not bring his gun, so you loan him one of yours. In some states, doing that is a felony, and you could go to jail. Under this system, you would simply verify his valid permit and you're all set."

The state permits also would benefit gun owners when it comes to purchasing a gun from a private seller versus a retailer. For example, a gun collector posts an ad to sell a piece from their collection, and someone wants to buy the gun. In states with universal background checks, private sellers must conduct a background check before selling the gun.

This may mean both parties must go to a federally licensed gun dealer, which may not be an inconvenience for people in urban areas, but may mean many hours of travel for people in rural areas. Under Siegel's proposal, the seller would only have to document that the buyer has a valid permit.

Another advantage of state gun permits could be permit reciprocity between states, meaning someone with a gun permit in New Hampshire could bring their license and gun legally into Massachusetts. Currently, the United States cannot have such reciprocity without risking public safety because gun laws vary from state to state.

"These laws would need to be enacted at the state level," Siegel says. "If every state were to pass this mini set of policies, then we could have a sense of confidence that state and local background checks for violent crimes were conducted for individuals with a valid gun permit, no matter the state."

Red flag laws

The last piece of the policy addresses people who are identified as an imminent threat, such as someone who may be threatening suicide. Perhaps they legally got a gun permit, but something happens in their life to precipitate them becoming a threat to themselves or someone else. Red flag laws allow family members or law enforcement to temporarily confiscate their gun until they are no longer a threat.

"We put a lot of due process clauses into the policy to protect the rights of [gun owners](#) and make sure this system isn't abused," he says. "The gun owner would have the right to a hearing, and when the order is rescinded, they would get their guns back quickly."

The Supreme Court factor

In *New York State Rifle & Pistol Association v. Bruen*, the Supreme Court recently ruled that New York's law requiring a license to carry concealed weapons in public places is unconstitutional because it required people "to show proper cause" for needing the gun. The Court found these so-called "may issue" laws violate the Second Amendment of the Constitution.

May-issue laws exist in eight states, Siegel says, to allow law enforcement officials the ability to deny permits to people they know to be at high risk for violence but who do not meet any criteria to prohibit them from obtaining a gun permit under state law. Laws in Delaware and California, for example, say that a person must be of "good moral character" to get a gun permit, while Massachusetts and Connecticut require "a suitable person" who must also supply multiple personal references with their permit application.

Siegel says that in the wake of the recent Supreme Court ruling, it's likely that most or all of those will be struck down because they impose what appear to be unconstitutional requirements for gun permits; in fact, Maryland suspended its law over the summer.

"If a state enacts the package of laws we outlined, there would no longer be a need for a 'may issue' law because the major risk factors for violence would be included in the background checks under the violent misdemeanor prohibition," Siegel says. "This is a concrete way for [states](#) that are concerned about the Supreme Court's decision to plug legal loopholes."

More information: Report: [Finding the Common Ground in Gun Safety](#)

Provided by Tufts University

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