



Gun Violence And Public Safety

Background

Gun violence plagues our society. Our country suffers a tragic toll every year – 84,000 gun-related non-fatal injuries¹ along with 33,000 gun-related deaths, nearly two-thirds of which are suicides.² In Minnesota the average is more than one firearm related death every single day (427 total deaths in 2013³). The frequency of needless killing in the U.S. and Minnesota is appalling, especially when compared with low gun-related death rates in other nations.⁴

Religious Principles

JRLC's four faith traditions each stress that human life is sacred. To harm another is to break faith with God (Numbers 5:6-7a). Our Abrahamic teachings make it clear – laying violent hands on a human person is equivalent to laying violent hands on God. Inviolable and universal human worth is the foundation that guides many of our ethical beliefs. Thus it is our duty as people of faith and conscience to protect human life.

God calls us to be peacemakers, and “repairers of the breach” (Isaiah 58:12). Our faith calls us to confront our culture of violence and the cheapening of human life. We are called to actively work through anger and fear, to pursue love and compassion, and to help build social mores that reward understanding, and reject violence as an answer to conflict.

The solution to everyday gun violence is complex, and will require deep social change. Faith communities can lead the way. We must re-dedicate ourselves to justice, to building communities of prosperity and peace. We need to aid people who are angry, distressed and in need of help. We need to admit that violence-soaked entertainment has harmful emotional, psychological and spiritual effects on people, and make decisions to no longer invite so much of it into our homes and onto our personal electronic devices. We must do a much better job of identifying and treating depression and other mental illnesses.

We believe gun laws are part of the solution too. Guns are too easily accessible in Minnesota. Other nations and many other states have safer gun laws that help foster lower rates of gun violence. Faith communities across the country have consistently called for peacemaking, improved public health and safety, and common sense gun regulations. In the pastoral statement, *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice* (2000), the U.S. Catholic Bishops wrote, “We support measures that control the sale and use of firearms and make them safer (especially efforts that prevent their unsupervised use by children or anyone other than the owner), and we reiterate our call for sensible regulation of handguns.”

Rights and Responsibilities

We begin our discussion with the assumption that Americans have both a legal and a moral right to private gun ownership. Recreation, hunting, and personal defense are all legitimate and morally defensible. The American constitutional right to private gun ownership is well established, though the legal boundaries of this right are regularly contested in our legislatures and in our courts. Legal boundaries simply acknowledge each right comes with a set of civic responsibilities that limit or qualify that right.

Rightful and responsible gun ownership should be subject to reasonable public laws and restrictions. For example, our laws do not allow private ownership of grenade launchers, or one to carry a loaded handgun in public without a permit. Federal and state courts have upheld a myriad of firearm restrictions, including bans on certain weapons, handgun trans-

fer and registration laws, and a national background-check system to enforce prohibited purchasing, all because of a compelling public interest to reduce injury and death.

JRLC's advocacy to prevent gun violence is rooted in a principled position that seeks to respect basic rights, including the legitimate right of self-defense, while at the same time securing the common good. JRLC seeks to be part of a law-making process that can promulgate well-reasoned, moderate, and effective limitations that uphold natural and civil rights and that protect human life.

We recognize that there is a diversity of viewpoints within our faith communities regarding gun ownership and use, including adherents to peace traditions who embrace an ethic of non-violence. Others within our communities promote the right of gun ownership, consistent with a heritage of hunting and outdoor recreation. All views should be respected and thoughtfully considered as part of the conversation concerning gun safety.

What we hope to offer by our participation in the debate about gun rights and gun safety is an opportunity to transcend the absolutist framework in which conversations concerning gun regulations are often situated. The way forward is not to cast activists on either side of the debate as the righteous and the sinners, but instead to build common ground around principles that we believe most Minnesotans share, and which connect rights with responsibilities.

Minnesotans are both wearied and angered by gun violence, for it is far too common in our lives. For each gun-related tragedy it seems we follow a pattern of moral outrage followed by a collective malaise just a month or two later. Perhaps the recent tragic killing of nine people by a gunman during a prayer meeting at Emmanuel African Methodist Episcopal Church in Charleston, SC, will strengthen the resolve of faith communities. May we so honor all the lives that were lost, including the senior pastor, Clementa C. Pinckney, who was also serving his community as a State Senator.

During recent efforts to pass gun-related safety legislation, our advocacy and the resolve of elected officials seem to wither in the face of campaign money and inflammatory rhetoric. Perhaps this time it will be different. Perhaps we can “repair a part of this fractured world” and answer the call of Pope Francis to “change hatred into love, vengeance into forgiveness, war into peace.”

Unfortunately, the current gun debate is mired in demagogic messaging and electoral retribution. We hope JRLC's discussion will improve the public debate about gun violence, make it less contentious and, perhaps, spur citizen action to increase understanding, improve our laws, and save lives. Jewish tradition teaches the value of *pikuah nefesh* - saving a life - and that if we save a life, it's as if we have saved the entire world.

Comprehensive Approach

We recognize that reducing gun violence requires a comprehensive strategy including gun safety awareness and education. Religious communities have done much to urge people to adopt safe firearms practices at home, during transport, and in the field. We can all do more through conversations with our families and friends, health education, and firearms training to cut down on gun-related accidents and suicides. We can start by familiarizing ourselves with the voluminous studies, resolutions, reports, and calls to action published by major religious bodies in the past few years.⁵

Community-level education and inspired peacemaking, while terribly important, are not the whole solution. Firearms, much like vehicles or explosives, are inherently dangerous, and faithful citizens are needed to enter debate and help shape public laws and improve public safety.

Religious communities already do much to quell violence. Our clergy and lay leaders are often front and center, leading vigils and prayers, mediating conflict, and calling people to accountability, justice, and peacemaking. We need more faithful citizens to engage with our leaders in the hard work of building a more just and peaceful society. More than most institutions, faith communities have a unique power to deescalate hostility and inspire healthy approaches to conflict resolution.

We believe that many gun-related tragedies can be averted. Public health and mental health experts have gathered solid research⁶ showing that a history of violence is the greatest predictor of future interpersonal violence, and that policies crafted to limit gun possession by high-risk individuals can save lives. Importantly, these policies need not be stigmatizing to the thousands of people who have mental health concerns completely unrelated to violent behavior.

It's important that laws do not focus on mental illness per se as a single factor in isolation. Most people with mental health issues are never violent and that needs to be reflected in our policies. Instead, future gun violence prevention policy efforts should use evidence-based criteria shown to increase the risk of violence — including suicide — to disqualify individuals meeting those criteria from purchasing or possessing firearms. In addition, new mechanisms to remove firearms from individuals at immediate risk of harming themselves or others should be created.

A Gaping Loophole in Current Law

Too many persons with high-risk, violent histories are able to purchase guns in Minnesota because of a gaping loophole in the National Instant Criminal Background Check System (NICS). Federal law only requires background checks for gun sales by licensed dealers. Gun sales by unlicensed sellers in Minnesota continue — often through anonymous online transactions — without any sort of background check.

An estimated 40 percent of all gun transfers take place between unlicensed parties, often at gun shows or through online transactions, and are not subject to the NICS background check. In 2012, approximately 6.6 million guns were transferred without a background check.⁷

Criminals and other prohibited gun buyers know how to exploit this loophole, and they do. A national survey of prison inmates found that nearly 80 percent of those who used a handgun in a crime acquired it in a private transfer.⁸

The Internet has created a vast marketplace for guns where millions of buyers can easily find unlicensed sellers and buy guns in almost total anonymity. For example, in December 2012, there were more than 25,000 guns for sale on Armslist.com, which allows buyers to choose between unlicensed and licensed sellers. More than 85 percent of the listings were placed by private sellers not required to conduct a background check.⁹

Evidence shows that states that have closed this loophole are saving lives. In the 16 states that have closed the loophole and strengthened NICS background checks:

- 38 percent fewer women are shot to death by intimate partners;
- 39 percent fewer law enforcement officers are killed with handguns;
- 17 percent fewer firearm aggravated assaults are committed.¹⁰

Our current system, which does not require “private sellers” to conduct background checks, too easily puts weapons in the hands of high-risk individuals. And as a result of this flaw, we are confronted with needless injury and death every day. We acknowledge that background checks are a mild inconvenience. But background checks only take a couple minutes to complete; over 91 percent of NICS checks are completed within 90 seconds.¹¹ Since the NICS system was created, it has blocked more than 2.2 million criminals, domestic abusers, people with violence-related mental health issues, and other dangerous people from buying guns.¹²

Past JRLC Positions

JRLC has taken several previous positions to reduce gun violence and enhance public safety. In 1974 JRLC successfully lobbied for handgun registration and waiting periods for newly purchased pistols in Minnesota, prohibiting alteration or removal of their serial numbers, and requiring permits for all pistol holders. We also supported registration of transfer records.

In 1990 JRLC supported a ban on military-style assault rifles as well as increasing penalties for using illegal weapons while committing a crime.

In the 2003 to 2005 legislative sessions we opposed the “conceal and carry” legislation that changed permitting instructions to local sheriffs and police from “may issue” to “shall issue” for most applicants wishing to carry handguns in public.

Recommendation:

Require Criminal Background Checks for All Gun Sales

Background checks are the only systematic way to stop high-risk, violence-prone people from buying firearms. Federal law only requires background checks for gun sales at licensed dealers. Minnesota should join 16 other states and pass legislation to close the private, unlicensed sale loophole. This will reduce the number of guns that end up in dangerous hands and will save lives.

Gun owners nationwide strongly support this common sense proposal: a 2012 survey by Republican pollster Frank Luntz found that 82 percent of gun owners—including 74 percent of NRA members—support criminal background checks for all gun sales.

According to a July, 2014 Quinnipiac University poll, 92 percent of Americans supports background checks for all gun sales, including 98 percent of Democrats and 86 percent of Republicans.

Endnotes

1. National Center for Injury Prevention and Control, CDC. (2013). *Nonfatal Injury Reports, 2001-2013*. Available at: <http://www.cdc.gov/injury/wisqars/nonfatal.html>.
2. National Center for Injury Prevention and Control, CDC. (2015). *Fatal Injury Reports 2002-2013, for National, Regional, States*. Available at: http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html.
3. Ibid.
4. The U.S. gun homicide rate is 30 times that of Australia or France, and twelve times as high as the average for other developed countries (United Nations Office on Drugs and Crime, *Percentage of Homicides by Firearm*, and *Homicide by Firearm Rate per 100,000 Population*, 2011. Available at: http://www.unodc.org/documents/data-and-analysis/statistics/homicides_by_firearms.xls).
5. For example, the Presbyterian Church U.S.A. recently published a much-discussed report, *Gun Violence, Gospel Values: Mobilizing in Response to God's Call*, 219th General Assembly (2010). The report recounts that, "[T]he United Methodist Church passed similar resolutions in 1976, 1988, and 2000 calling for education and advocacy to reduce the availability of guns and regulating their sale and possession. The United Church of Christ passed resolutions in 1969, 1995, and 1999 that specifically called for the denomination to negotiate directly with the National Rifle Association and endorsed policies of one handgun a month, banning assault weapons, and regulation of gun dealers. The Episcopal Church passed eight resolutions between 1976 and 2000 advocating for greater regulation of handguns, including banning assault weapons and prohibiting the carrying of concealed weapons. The U.S. Conference of Catholic Bishops issued policy statements in 1995 and most recently in 2005 advocating for the reinstatement of the ban on assault weapons and supporting 'measures that control the sale and use of firearms and make them safer ... and we reiterate our call for sensible regulation of handguns.' The Evangelical Lutheran Church in America passed a message to the church on Community Violence in 1994, reaffirmed in 2008, which called on the church to 'stem the proliferation of guns in our streets, schools and homes,' and to 'build strong anti-violence coalitions in our neighborhoods and communities.' The National Council of Churches has given voice to the ecumenical community's appeal through the Interfaith Call to End Gun Violence (2000) which then-General Secretary Robert Edgar reiterated in speaking out against the tragic killings at Virginia Tech University (2007)."
6. Consortium for Risk-Based Firearm Policy State Report: *Guns, Public Health, and Mental Illness: An Evidence-Based Approach for State Policy* (2014). Available at: <http://www.efsgv.org/wp-content/uploads/2014/10/Final-State-Report.pdf>.

7. Mayors Against Illegal Guns, *Felon Seeks Firearm, No Strings Attached*, 2013, available at: http://www.nyc.gov/html/om/pdf/2013/felon_seeks_firearm.pdf. The report notes that in the 36 states that had not fully closed the private sale loophole as of 2012, licensed gun dealers conducted 9,856,984 background checks for gun sales between December 2011 and December 2012. Assuming that this number represents 60 percent of the total gun sales in those states, and private transfers represent the other 40 percent, we estimate private transfers numbered 6.6 million over that 12-month period.
8. U.S. Department of Justice, Bureau of Justice Statistics, *Survey of Inmates in State and Federal Correctional Facilities*, 2004, February 28, 2007.
9. Mayors Against Illegal Guns, *Policy Brief on Key Solutions to Gun Violence in America*, 2013, p. 6.
10. U.S. Department of Justice, Federal Bureau of Investigation, *Supplementary Homicide Reports*, 2011 (excludes New York because of incomplete data). Florida Department of Law Enforcement, *Supplementary Homicide Report*, 2010. Federal Bureau of Investigation, 2001-11 (law enforcement personnel killed with handguns not their own). FBI Uniform Crime Reports, 2011 (NY, IL, HI, and MS excluded because of incomplete data).
11. U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, *2009 NICS Operations Report*. Available at: <http://1.usa.gov/1lSE2r5>.
12. U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms, *Following the Gun: Enforcing Federal Laws Against Firearms Traffickers*, 2000, available at: <http://1.usa.gov/1nS4O8E>.

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