

Banning Assault Weapons: A Politically Popular Policy That Will Not Reduce Gun Violence
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One of the gun control initiatives proposed by President Obama calls on Congress to reinstate and strengthen the Federal ban on assault weapons (AWs) that was in place from 1994 to 2004. On Thursday, Senator Dianne Feinstein obliged the president by unveiling a new bill that would reinstate a ban on AWs. Some of the proposals in the new bill include banning the "sale, transfer, importation or manufacturing of about 150 named firearms", "moving from a two- to a one-characteristic test to determine what constitutes an assault weapon" and limit clips to 10 rounds, while protecting gun owners by exempting "over 900 specific weapons "used for hunting or sporting purposes."

Many American's mistakenly believe AWs are more dangerous than other firearms because of their semiautomatic capability, which allows for a somewhat higher rate of fire, and their ability to accept large-capacity magazines. But these features are not unique to AWs. Most of the pistols and rifles sold in the U.S. today are semiautomatic firearms capable of accepting large-capacity magazines. Indeed, the only thing that distinguishes AWs from other guns is the latter's lack of "military style" cosmetic features such as having the shape of a military machine gun or having a wood stock instead of a plastic one. Despite their functional equivalence, lawmakers have chosen not to focus their attention on non-AW makes and models, probably because doing so would run the risk of upsetting large numbers of voters who own such weapons.

This probably explains why legislators who enacted AW bans in states such as Connecticut and the newly proposed federal ban have side-stepped the difficult task of defining what constitutes an AW and instead chose to ban arbitrarily selected subsets of semi-automatic makes and models - mostly those that had a military-style appearance. While this may make sense politically, it makes no sense from a crime-control perspective. Banning this subset of models while leaving other, mechanically identical models unbanned will do nothing to reduce rates of gun violence, since criminals can simply substitute equivalent, legally available non-AW models for the banned models. It would be far-fetched to think that criminals would decide not to use guns merely because they did not have a military-style appearance.

Since AWs tend to be larger and less concealable than other guns, they are not popular with criminals as a whole. Studies of the guns recovered by police indicate that less than two percent of gun crimes, and well under one percent of all violent crimes, are committed with AWs. And when they are used in ordinary crimes, with one or two victims, their use is irrelevant to the outcomes of the crime, since ordinary gun crimes rarely involve more than one or two shots fired. Thus, arguments for banning AWs commonly focus on mass murders, since the large-capacity magazines that can be used with these guns allow the shooter to fire more rounds without reloading. To put this in perspective, it is useful to note that the most comprehensive study of mass murder, by Grant Duwe a criminologist with the Minnesota Department of Corrections, revealed that less than 1% of all U.S. homicide victims are killed in mass murders and less than a tenth of 1% are due to the mass shootings in public places that fit the popular stereotype of mass murder.

Even in these rare events, however, large-capacity magazines are irrelevant to the number of victims shot. If there were nearby persons willing to tackle the shooter, limits on magazine capacity might limit how much death and injury a shooter could inflict with the initial magazine; the smaller the magazine, the fewer the victims shot before the killer was stopped by interveners. Most mass murderers, however, bring multiple guns to the events. For example, Mr. Lanza brought three and fired at least two of them. These killers do not need large capacity magazines to fire many rounds without reloading - they merely drop one gun when its ammunition is exhausted and start firing another.

Further, there are virtually no mass killings in which there is a bystander or victim willing to tackle the killer even if he does need to reload. In the Tucson shooting of Rep. Gabrielle Giffords, two bystanders did finally tackle the killer, but apparently only after he had successfully inserted a second magazine into his gun, its spring failed, and he started to flee. We are aware of only one mass shooting - on a Long Island commuter train in 1993 - that involved a killer who was stopped by bystanders when he attempted to reload. This was an atypical incident in that its peculiar location prevented victims from distancing themselves from the killer, forcing some to be close enough to tackle the shooter.

It is easy to fall into lazy reasoning and to argue that additional gun restrictions "can't do any harm and might do some good." But there are costs to restricting guns as well as possible benefits. Any restrictions that limit the availability of guns for criminal purposes also limit their availability for self-protection. There is strong empirical evidence showing that the use of guns for self-protection is both frequent and effective. Victims who use guns for defense in crime incidents are less likely to be injured or lose property than otherwise similar victims who either do nothing to resist or adopt other self-protection strategies. Making guns unavailable for self-defense can therefore cost lives, and this cost must be taken into account when considering the possible slight benefit of measures that would prevent only the rarest of crimes.