STEP 1: Educate Yourself

In this section you will learn:
A. Facts about the Second Amendment
B. Facts about gun violence
C. Arguments the gun lobby makes, suggested talking points to counter them
D. Common sense gun regulations save lives
E. The difference between federal, state and local government
F. How to identify your elected representatives (federal, state, and local) and whether they have taken money from the gun lobby
G. How laws are made (federal/state) and where state law has been effective vs. federal law
H. A sample state law agenda
I. How to pass a state law ballot measure and where ballot measures have been effective
J. How to pass a municipal ordinance or proclamation and where these instruments have been successful
A. Facts about the Second Amendment

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The Second Amendment does not protect:
- assault rifles
- large capacity ammunition magazines
- weapons not in the common use at the time of the founding of this country.

In the 2008 Supreme Court opinion District of Columbia vs Heller, Justice Antonin Scalia wrote for the narrow 5-4 majority that you cannot ban guns in the common use at the time of the country’s founding, however "weapons not typically possessed by law-abiding citizens for lawful purposes, such as short-barreled shotguns" were not protected by the Second Amendment. Scalia further stated:

"Like most rights, the Second Amendment right is not unlimited, it is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose......nothing in our opinion should be taken to cast doubt on the longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings or laws imposing conditions and qualifications on the commercial sale of arms."

Second Amendment: Key Take Away

Do not be fooled by the NRA’s lies and misinformation:

The Second Amendment does not prohibit banning assault weapons, large capacity ammunition magazines, background checks for all gun sales and other gun laws "imposing conditions and qualifications on the commercial sale of arms."
STEP 1: Educate Yourself

B. Facts about gun violence

- Over the past 40 years more than 1.5 million Americans have died from guns in the US, that is more Americans that have been killed by guns than all US service men and women killed in all foreign wars combined.

- Means Matter: 90% of people who survive a suicide attempt do not ultimately die by suicide. This is important because when a suicidal person has access to highly lethal means during an attempt, like a firearm, there is no second chance for them to get help.

- Women in the United States are 11 times more likely to be murdered with a gun than women in other high-income countries.

- Homicide is the leading cause of death for African American males aged 15-34

- Seven states have banned assault weapons.

60% of gun deaths are suicides

A gun in the home is more likely to be used to kill or injure an innocent person in the home than a threatening intruder.

Over 35,000 Americans die each year from gun violence
STEP 1: Educate Yourself

B. Facts about gun violence

- Every 30 minutes a child is injured and every 3 hours a child dies from guns in the US
- There have been over 290 shootings at schools since Sandy Hook in 2012
- Federal law allows unrestricted access to military style assault weapons and large capacity ammunition magazines
- There is no background check requirement for private gun and ammunition sales in 30 states and at thousands of gun shows and flea markets each year

Additional Reading: "11 Facts that tell the story of gun violence in 2017." by Daniel Nass of The Trace

Facts about gun violence: Key Take Away

Firearms are extremely lethal. Death is more likely the outcome for both homicide and suicide attempts when a firearm is used.

Of all suicide attempts, only 5.1% of cutting suicide attempts and 7.4% of poison suicide attempts are fatal, conversely 96.5% of firearm suicide attempts are fatal.
STEP 1: Educate Yourself

C. Arguments the gun lobby makes and talking points to effectively counter them

POINT: Guns protect women from assaults.

COUNTERPOINT: Women are five times more likely to be shot by an intimate partner than attacked by a stranger, and their likelihood of being killed by an abuser increases five times if their partner has access to a firearm.

POINT: Guns safety laws will not impact violence. It is more important to enforce existing laws.

COUNTERPOINT: More than 75% of guns used in American mass shootings have been purchased legally, mostly in states with weak gun laws. Stronger gun safety laws will tighten up the loopholes that allow violent criminals to access weapons. For example, urban Massachusetts has enacted some of the most effective gun laws, has reduced the rate of gun deaths by 40% since 1994 and has the lowest gun death rate in the Nation.

Americans support common sense gun laws

97% of Americans support universal background checks for all gun sales
83% support a mandatory waiting period for all gun purchases
75% of voters say Congress needs to do more to reduce gun violence
67% support a nationwide ban on the sale of assault weapons

SOURCE: Quinnipiac University Poll, February 20, 2018
C. Arguments the gun lobby makes and talking points to effectively counter them

**POINT:** The Second Amendment is an unlimited Constitutional right, it prohibits any regulations on guns and gun safety advocates want to ban all guns and infringe upon our Second Amendment rights.

**COUNTERPOINT:** The Second Amendment, like other Constitutional rights, is not unlimited and allows reasonable restrictions on gun sales and ownership.

In 2008, Justice Antonin Scalia, writing for the majority of the Supreme Court in *District of Columbia v. Heller*, wrote:

"Like most rights, the Second Amendment right is not unlimited, it is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose... nothing in our opinion should be taken to cast doubt on the longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings or laws imposing conditions and qualifications on the commercial sale of arms".

Stop Handgun Violence does NOT strive to restrict American's Constitutional rights. Stop Handgun Violence and peer groups DO believe in common-sense legislation that will help save lives without banning guns except assault weapons and cheap handguns without safety features.

**POINT:** Guns are not the problem, it's just mental illness.

**COUNTERPOINT:** Every country has people suffering from mental illness. The United States is the only country that arms them with military style weapons and easily concealed handguns without background checks and detection by law enforcement.

**POINT:** Guns don't kill people; people kill people.

**COUNTERPOINT:** People with access to guns kill more people, and do so with guns. States with high gun ownership rates have up to 114% higher gun homicide rates. Simply put, the more guns the more deaths by guns because guns are the most effective way to kill someone.

**POINT:** Keeping a gun at home keeps you safer.

**COUNTERPOINT:** A gun in the home actually makes household members more likely to be a victim of a homicide or suicide than in homes without guns.
**STEP 1: Educate Yourself**

D. Common sense gun regulations save lives

States with tougher gun laws have lower gun violence rates than states with lax gun laws.

Of the ten states with the strongest gun laws, as rated by Giffords Law Center, seven of them also have the lowest gun deaths rate (California, Connecticut, Hawaii, Massachusetts, New Jersey, New York, and Rhode Island). The combined population of these states is nearly 30% of the total population of the country, yet their combined gun deaths only equal 15% of the gun deaths nationally.

What do we mean when we say strongest gun laws? Urban Massachusetts has enacted some of the most effective gun laws and regulations, including background checks for all gun sales and a permanent ban on assault weapons and ammunition magazines greater than 10 rounds. It has the lowest gun death rate in the nation. Similarly, California has enacted an extreme risk protective order, imposes a 10-day waiting period for gun purchases and allows law enforcement the power to deny applications for concealed carry licenses. California has the 7th fewest gun deaths per capita in the nation.

To see how your state's gun laws stack up against other states' gun laws, check out the Giffords Law Center's Annual Gun Law State Score Card: http://lawcenter.giffords.org/scorecard2017/
STEP 1: Educate Yourself

E. The difference between local, state and federal government

The United States is a democracy, which means it is governed by the people. In practice, that means that citizens express their wishes through voting and are governed by the will of the majority. It is also a Federal system, which means that both the national and state governments have power to enact and enforce gun safety legislation and rules.

Under the federal system, government exists at the local, the state and the federal level. While local and state governments do vary, most governments follow the same framework: for an idea to become law it must pass both the state or federal House and Senate and be signed by the Governor of the State or President. If a Governor or President vetoes a proposal passed by a state Legislature or Congress, a Legislature or Congress can vote again override the veto, usually with a two-thirds majority. Laws can also be contested in the courts, and upheld or struck down.

<table>
<thead>
<tr>
<th>Federal Government</th>
</tr>
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<tbody>
<tr>
<td><strong>EXECUTIVE:</strong> President of the United States- Duties include power to veto, or sign legislation, command the armed forces, ask for the written opinion of their Cabinet, convene or adjourn Congress, grant reprieves and pardons, and receive ambassadors.</td>
</tr>
<tr>
<td><strong>LEGISLATIVE:</strong> House of Representatives and U.S. Senate. Together they make up Congress. The House of Representatives includes 435 members which are distributed by population amongst the 50 states and elected for two-year terms. The U.S. Senate includes 100 members which are distributed evenly amongst the 50 states (2 per state) and elected for six-year terms. Together the House of Representatives and U.S. Senate write and pass the laws of the nation, which are then signed into law by the president.</td>
</tr>
<tr>
<td><strong>JUDICIAL:</strong> The United State Supreme Court is the highest court in the U.S. however there are federal courts at the district (lowest) and appellate level (middle). The nine members of the Supreme Court are nominated by the president and serve lifelong terms. The Supreme Court’s core purpose is to interpret whether a law or government action is constitutional.</td>
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</tbody>
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### State Government

**EXECUTIVE:** Each state has a Governor who acts as a state level executive. Governors are elected for two or four-year terms, based on which state they are serving.

**LEGISLATIVE:** All but one state also has a state level house of representatives and state senate, the exception being Nebraska which only has a state senate. Both branches are frequently referred to as the state legislature.

**JUDICIAL:** Similar to the federal judicial branch, states have a high court (usually called a state supreme court), appellate courts, and district courts.

### Local Government

**EXECUTIVE:** Can include city mayors and parish presidents.

**LEGISLATIVE:** Can include any of the following: City council, town board, town council, board of aldermen. These groups of people pass ordinances that govern the local population, just like laws do at the state and national level. School boards also operate as a legislative body since they frequently make rules that govern the school district.

**JUDICIAL:** City courts usually have limited jurisdiction and process lower level offenses such as traffic tickets.
STEP 1: Educate Yourself

F. How to find your elected representatives and whether they have taken money from the gun lobby

Every American living in one of the fifty United States has the following:
1) A President
2) 2 U.S. Senators
3) A U.S. Representative
4) A Governor
5) A state senator
6) At least one state representative (except Nebraska)

PRO TIP: Each elected official is an opportunity to lower gun deaths.

In addition, most Americans have additional locally elected officials including: judges, mayors, city councilpersons, school board, town meeting members, water board, parish president, attorney general, district attorneys, lieutenant governor, and others.

You can find every elected official who represents you on Ballotpedia here: http://bit.ly/WhoRepsToolKit. You can find out which gun rights organizations have contributed to your federal elected officials' campaigns on Opensecrets.org: http://bit.ly/NRADonations

Top 10 recipients of funds from gun lobby interests among members of Congress, 1989-2018


This information is available for local elected officials on State Election Commission and Secretary of State websites.
STEP 1: Educate Yourself
G. How a bill becomes a law and where state law has been effective

To change the law for all fifty states, you have to change federal law and work with the President, U.S. Senators and U.S. House of Representatives. To change your state's laws you need to work with your Governor and your state senators and state representatives (just state senators in Nebraska). To change the law in your city, you need to work with your mayor and your city council, town board, town council or town meeting, board of selectmen or alderman.

To change the law via state legislature:
STEP 1: The Creation of a Bill
A bill can start in either the House or Senate chamber of the state legislature when it's introduced. Members of the State House or State Senate draft, sponsor and introduce bills for consideration. State legislators frequently introduce bills written or proposed by advocates and constituents. For sample legislation including key elements of strong gun bills check out Giffords Law Center.

STEP 2: Committee Action
Usually, a committee or a small group of elected officials is assigned to study the bill. The Committee votes to accept or reject the bill and holds public hearings to gather the public's support or opposition for a bill. Individuals can attend a public hearing and provide testimony in support or opposition of bills. Check your state legislature's home page for upcoming hearings that you may be interested in providing testimony for.

Changing the law is not quick or easy to do, but it is possible. For purposes of this guide we will describe how to change the law three ways:
1) Changing the law via the state legislature
2) Changing the law via a state ballot initiative
3) Changing the law via a municipal (local) proclamation
STEP 1: Educate Yourself

G. How a bill becomes a law and where state law has been effective

STEP 3: Floor Action
The bill is returned to the full House or Senate floor for further debate and approval. At this point members may propose amendments to the bill, add additional text, or otherwise alter the bill.

STEP 4: Vote
House and Senate members vote on their respective versions of the proposed bill.

STEP 5: Conference Committees
A bill must be approved by both chambers of the legislature. If the bill has differences between the two chambers, the bill is sent to a Conference Committee comprised of House and Senate members to resolve any legislative differences with the goal of creating a common version.

STEP 6: Executive Action
After the bill is passed by both chambers it is sent to the Governor for approval or signature, which if granted creates a state law. When a Governor refuses to sign a bill it is known as a veto. A vetoed bill can be overturned by a majority in the House and Senate or returned to the Legislature for reconsideration.

STEP 7: The Creation of a Law
The new law is now codified into the state general laws and requires a legislative action to change it.

Many states have passed stronger gun laws than the existing federal laws. Some state law examples include:

- Licensing required for all gun owners
- Assault weapons and high capacity magazines banned
- Universal background checks, including at gun shows, online and private sales
- Prohibiting domestic abusers from purchasing firearms
- Consumer protection standards
- Safe storage requirements to prevent suicides, theft and accidental shootings
- Minimum age for carrying a firearm
STEP 1: Educate Yourself

H. A sample state law agenda

To work on changing your state law, start with learning what your state's laws are. The Giffords Law Center to Prevent Gun Violence has comprehensive material on each state's gun laws. You can find out what your state laws are and what your state is lacking at:
http://lawcenter.giffords.org

Are you interested in passing universal background checks for all gun sales including at gun shows, online and private sales?

97% of Americans want a background check for all gun sales, but less than half of states require it:

- California*
- Colorado*
- Connecticut*
- Delaware*
- District of Columbia*
- Hawaii (permit/license required for purchase)
- Illinois (permit/license required for purchase)
- Iowa (permit/license required for purchase of handguns)
- Maryland (handguns and assault weapons only)
- Massachusetts (permit/license required for purchase)
- Michigan (permit/license required for purchase of handguns)
- Nebraska (permit/license required for purchase of handguns)
- Nevada (law not currently enforced)*
- New Jersey (permit/license required for purchase)
- New York*
- North Carolina (permit/license required for purchase of handguns)
- Oregon*
- Pennsylvania (handguns only)*
- Rhode Island*
- Washington*

*Point of sale background check
STEP 1: Educate Yourself
H. A sample state law agenda

Are you interested in banning large ammunition magazine capacities?

States that have limits on magazine capacities:
- California (10 rounds)
- Colorado (15 rounds)
- Connecticut (10 rounds)
- District of Columbia (10 rounds)
- Hawaii (Handguns only, 10 rounds)
- Maryland (10 rounds)
- Massachusetts (10 rounds)
- New Jersey (10 rounds)
- New York (10 rounds)

While most gun deaths in the United States are not due to mass shootings, the media attention surrounding mass shootings often exposes loopholes in our national gun laws.

For example, police were called to the homes of the shooters in the Parkland and Isla Vista shootings multiple times because the shooters were suspected of planning violent crimes. However, in both cases, police were unable to legally separate firearms from the shooter.

Some states have closed this loophole by passing extreme risk protective order/gun violence restraining order, including:

- California
- Connecticut
- Indiana
- Oregon
- Washington
STEP 1: Educate Yourself

I. How to pass a ballot measure and where ballot measures have been effective

A ballot initiative allows citizens to put new legislation on the voting ballot through a petition.

Very generally the steps to passing a ballot initiative are:
1) Write the Ballot Initiative/proposed legislation
2) File and approve it with the Secretary of State's Office
3) Collect signatures of citizens (each state has a required number)
4) Certify signatures with Secretary of State's Office, if required number of signatures received it is put on the popular ballot
5) Campaign in favor of Ballot Initiative
6) Vote on Ballot Initiative
7) If it passes the Initiative becomes law and must be enforced by the state Legislature and Governor

Five states have passed stronger gun laws by ballot initiative:
- Nevada (universal background checks)
- California (required background check for ammunition sales and prohibits high capacity magazine)
- Oregon (background check requirement at gun shows)
- Colorado (background check requirement at gun shows)
- Washington (background checks and extreme risk protection orders)
**STEP 1: Educate Yourself**

I. How to pass a ballot measure and where ballot measures have been effective

<table>
<thead>
<tr>
<th>States that allow citizens to collect petitions and put proposed legislation on the ballot.</th>
<th>Those states are:</th>
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<tbody>
<tr>
<td>Alaska</td>
<td>Nebraska</td>
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<td>Arizona</td>
<td>Nevada</td>
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<td>Arkansas</td>
<td>North Dakota</td>
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<td>Washington</td>
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<td>Missouri</td>
<td>Wyoming</td>
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For resources on how to initiate your own state ballot measure, visit Ballotpedia.org
STEP 1: Educate Yourself

J. How to pass a municipal ordinance, resolution or proclamation, what the differences are and where these instruments have been successful

Ordinances:
At the city and local level, there are ordinances, resolutions and proclamations. Ordinances carry the weight of law locally and are usually passed by the City Council, Board of Selectmen or Town Meeting. Violating a city ordinance can lead to penalties, such as fines and even jail time. Cities, like Richmond, VA have successfully used ordinances to prevent gun owners from transporting loaded firearms on public streets. There are however some limits that states have imposed to prevent local governments from regulating firearms. For a list of over 80 local ordinances passed in Virginia counties and cities, see the online Library of Resources.

Another city ordinance that we suggest: Lower the voting age in your hometown
Teens successfully advocated to lower the local voting age in both Takoma Park and Hyattsville, Maryland. As FairVote reports "Empirical evidence suggests that the earlier in life a voter casts their first ballot, the more likely they are to develop voting as a habit. By lowering the voting age to 16, young people will be engaged meaningfully in the democratic process while they are taking civics courses, and before they leave their home communities for college."
For more on this topic, check out "Lowering the Voting Age: A Legal Feasibility Study" a report by Generation Citizen linked to in the Library of Resources

The following states allow local governments to permit 16 & 17-year-olds to vote in local elections:
- California
- Colorado
- Illinois
- Maryland
- Massachusetts*
- New Mexico
- Ohio
- Oklahoma
- Rhode Island
- South Dakota
- Vermont*

*after state legislature approval
STEP 1: Educate Yourself

J. How to pass a municipal ordinance, resolution or proclamation, what the differences are and where these instruments have been successful

Resolutions:
Resolutions do not carry the weight of law to the general public. However they frequently direct administrative or legal action by a local government. For example, cities use resolutions to tell a local administrative agency to increase/decrease local taxes and speed limits.

Proclamations:
Proclamations are generally more ceremonial and carry less legal weight than either an ordinance or resolution. However, they can still be a powerful signal to legislators and the gun lobby that the community favors common sense gun laws. School boards/committees, town councils and other local governing bodies use proclamations to signal dissatisfaction with legislators or to urge legislators to support/oppose legislation. Most larger city councils have an online application for individuals to ask for a city level proclamation. For example, see the City of Dallas, TX proclamation page linked to in the online Library of Resources.

Spotlight on Rhode Island
The Rhode Island Coalition Against Gun Violence worked with volunteers across the state to get a resolution from every school committee in the state to keep guns off school campuses. You can read the Barrington, RI School Committee Resolution and find an editable version for your school in our online Library of Resources.