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FIREARM BANS AND GUN VIOLENCE

Jake Burns

B.A, Southern Illinois University, 2018

A Research Paper
Submitted in Partial Fulfillment of the Requirements for the
Master of Arts

School of Justice and Public Safety
in the Graduate School
Southern Illinois University Carbondale
December 2020

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RESEARCH PAPER APPROVAL
FIREARM BANS AND GUN VIOLENCE

by

Jake Burns

A Research Paper Submitted in Partial
Fulfillment of the Requirements
for the Degree of
Master of Arts
in Criminology and Criminal Justice

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August 8, 2020

AN ABSTRACT OF THE RESEARCH PAPER OF

Jake Burns, for the Master of Arts degree in Criminology and Criminal Justice, presented on August 8, 2020 at Southern Illinois University Carbondale.

TITLE: FIREARM BANS AND GUN VIOLENCE

MAJOR PROFESSOR: Dr. Matthew Giblin

Tackling the problem of gun violence in the United States is a major challenge facing society. Many different policies have been created in order to address annual gun violence rates including bans on firearm importation, purchase, sale, and possession. Assault weapons, handgun, and Saturday night special bans are the most common firearm bans aimed at combatting gun violence. This systematic review of the literature examined these three different firearms bans and provided an overview of the effectiveness of these interventions. Firearm bans must be weighed against the constitutionality of such acts. Each one of these firearm bans are impacted by the Second Amendment and this influences how firearm bans can be implemented and used. The findings suggest that, in general, not all firearm bans decrease gun violence rates, but they may have other impacts that can be considered effective. In this review, the mixed and conflicting results demonstrate the effects of these bans reach beyond only reducing gun violence rates and that reduction in gun violence rates may not be the final outcome of some of these firearm bans.

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CHAPTER 1

INTRODUCTION

In the United States many deaths occur annually as a result of firearms. Lethal gun violence rates are driven by both homicide and suicide deaths. The United States has more gun violence annually compared to similarly developed countries. The firearm homicide rate in the United States is 19.5 times higher than other developed nations (Webster, Crifasi, & Vernick, 2014). According to Laine, Taichman, Mulrow, Berkwitz, Cotton, and Williams (2013), “the Centers for Disease Control and Prevention (CDC) reported that in 2009, firearms were used in 11,493 homicides (3.7 per 100,000 persons) and 18,735 suicides (6.1 per 100,000 persons). This means that the U.S. rate of firearm-related homicide, suicide, and unintentional death are higher than in other high-income countries” (p. 493). Sloan and colleagues (1988) compared homicide rates in Seattle, Washington and Vancouver, Canada, two cities in relatively close proximity with similarly situated demographics. Their findings support the notion that rates of firearm-related homicides are higher in the United States compared to other similarly developed countries, in this case, Canada. In their study, they found that “the relative risk of death from homicide, adjusted for age and sex, was significantly higher in Seattle than in Vancouver. Their findings suggest that there was a 4.8-fold higher risk of being murdered with a handgun in Seattle as compared to Vancouver” (Sloan et al., 1988, p. 1256). Additional research has suggested that two thirds of all homicides that occur in the United States involve a firearm.

Many politicians, criminal justice officials, and citizens are concerned about the sheer magnitude of firearm violence in the country. A 2011 Gallup poll found policies which targeted gun violence rates are supported by many America citizens. Nearly half (47%) of surveyed Americans were in favor of passing new gun laws to address gun violence rates (Saad, 2012). As

time progressed, support for such policies has increased. A recent Pew Center Research survey found that 60% of Americans support stricter gun laws (Schaeffer, 2017). Therefore, two different surveys conveyed that the American public supports stricter gun controls. Public support for tougher policies has motivated policymakers to act on such support for stricter gun laws.

In an effort to decrease gun violence rates in the U.S., policymakers have developed and used various interventions/policies. Firearms bans, a type of intervention, generally take one of three forms: assault weapons bans, handgun bans, or Saturday night special bans (Cherney, Morral & Schell, 2018). This paper will examine the research on firearm bans and discuss their effectiveness across a variety of domains commonly used by firearms researchers: gun availability/illicit gun markets, production trends, gun violence rates, and mass shootings.

Policy recommendations will then be provided based on the evidence gathered from the literature review. Simply put, the literature review will guide recommendations about the effectiveness of firearms bans as a method to decrease gun availability/illicit gun markets, limit production, decrease gun violence rates, and decrease the number of mass shootings which occur in this country. For the purposes of this paper, the effectiveness of different firearm bans is assessed by determining whether the intervention had a significant impact on any one of these measures of effectiveness. This literature review will use the definition of firearms bans used by the Rand Corporation in its 2018 review of firearm laws; firearm bans make it illegal to own a specific class of firearm(s) prohibited by law—typically assault weapons, handguns, and Saturday Night specials.

CHAPTER 2

BACKGROUND AND HISTORY

Defining Firearm Bans

Firearms bans have been implemented on the federal, state, and local level to restrict access to firearms or ban the possession of certain classes of firearms within jurisdictions (Murray, 1975). Firearm bans can target assault weapons, handguns, or low-quality cheap firearms (otherwise known as Saturday night specials). The logic that drives firearm bans is that if society restricts access to either specific firearms/ illicit gun markets or decrease production trends that this can decrease gun violence rates or mass shootings. Enacting firearm bans which limit access to certain types of guns and attaching additional penalties for not complying with firearm bans create a deterrence and incapacitation effect which have the potential to decrease gun violence rates. Therefore, if access to firearms is removed from individuals who are likely to use them for illicit purposes, firearm deaths could potentially be decreased.

In the United States, gun violence takes the lives of approximately 32,000 individuals annually (Fowler et al., 2015). Medical conditions are the leading cause of death in the U.S.; however, when we look at objects that kill people, firearms are at the top of the list. Firearms kill or injury many people annually. Firearm bans can target both long guns and handguns. Typically, assault weapons are the most common type of long gun targeted by firearm bans. There is no universally agreed upon definition of what constitutes an assault weapon (Koper, Johnson, Nichols, Ayers, & Mullins, 2018). This is particularly due to the definitional issues; many statutes just list individual components of the gun which can be removed or modified to change the look of the firearm but fail to address the function of the rifle itself. According to one statute, an assault weapon is “a semiautomatic rifle that has an ability to accept a detachable

magazine and has at least 2 of- (i) a folding or telescoping stock; (II) a pistol grip that protrudes conspicuously beneath the action of the weapon; (iii) a bayonet mount; (iv) a flash suppressor or threaded barrel designed to accommodate a flash suppressor; and (v) a grenade launcher” (Phelan IV, 2013, p. 589). Though this is one example, the features listed are common parts that are often attached to legislation. If the look of a rifle changes due to eliminating the features that define it as an assault weapon within the law, the weapon will no longer be classified as such (Koper et al., 2018). In reality, the weapon will still function exactly the same and be equally dangerous as the pre-modified version of the same firearm. The ease of modification contributes to the difficulties in legally defining assault weapons (Koper et al., 2018).

Firearm bans can also target handguns (Cook & Leitzel, 1996). Possession of a handgun can mean different things according to statute. Some handgun bans may refer to possession of a handgun outside of the home, while others may describe possession as having a handgun in any capacity.

Handgun bans often target cheap, junk handguns, commonly referred to as Saturday night specials. These firearms are low-quality handguns which are inexpensive and prone to breaking/jamming. Essentially this type of handgun is not desired by individuals who collect or use guns regularly due to their low quality. They are more often used in crime compared to other more expensive firearms due to their low cost and disposability (Vernick, Webster, & Hepburn, 1999). The goal behind Saturday night special bans is to target handguns that are commonly associated/recovered in many gun violence cases. Saturday night special bans leave individuals who are using cheap, low quality firearms in criminal offenses with more extreme choices to acquire firearms. They will have to buy more expensive firearms to commit their crime, choose steal a firearm or not to commit crime with a firearm in the first place.

History of Assault Weapons Bans

Federal Assault Weapons Bans

In order to provide objective policy recommendations on the topic of firearm bans, the history of different types of bans must be discussed along with specific instances of policy implementation. The first assault weapons ban implemented was the 1934 National Firearm Act (NFA). The federal government sought to limit access to certain types of firearms to address gun violence during the period. The NFA specifically targeted assault weapons because firearms such as Tommy guns, a type of fully automatic weapon, were commonly used by organized crime syndicates and other criminal enterprises. Before the enactment of the NFA, fully automatic assault weapons (machine guns) were considered legal (Roth & Koper, 1999). A growing concern about crime rates and violence led to the passage of the first assault weapons ban. According to Roth and Koper (1999), the 1934 NFA was very successful at removing most fully automatic assault weapons from general circulation in modern day civilian gun markets. This can be demonstrated by looking at modern day criminal acts and realizing that there are virtually no gun violence events where fully automatic machine guns are used (Roth & Koper, 1999).

The 1934 NFA was the first step in a long lineage of assault weapons bans that would follow over subsequent decades. After the 1934 NFA, the next legislation to target assault rifles would come in 1968. The Gun Control Act of 1968 banned the importation of foreign made firearms except for those used for sporting purposes. Next, in 1989 the federal government made it illegal to import five categories of foreign rifles (Roth & Koper, 1999). The banning of foreign-made rifles was the result of a January 17, 1989 shooting in which an AKS rifle, a variant of the common military AK-47 rifle, was used to murder 5 children and injure 30 others in Stockton, California (Roth & Koper, 1999). The AK-47 rifle is commonly manufactured

outside of the United States and was subsequently prohibited by the 1989 federal ban on foreign import rifles. Today, the only assault weapons available for civilian purchase are ones manufactured in the United States. Following the 1989 assault weapons ban of foreign imports, the next federal assault weapons ban was passed in 1994 and remained until it expired in 2004. It made “the manufacture, transfer, and possession of certain semiautomatic firearms designed as assault weapons and large capacity ammunition magazines” illegal to own (Roth & Koper, 1999, p. 1). This federal assault weapons ban would only last ten years and then be reevaluated to consider its success.

State and Local Assault Weapons Bans

Though the federal government does not currently impose an assault weapons ban, some states have taken it upon themselves to create such policies. State assault weapons bans were created with the hope of preventing gun deaths and decreasing gun violence rates within individual state jurisdictions. They have enacted assault weapons bans that target specific features of rifles (firearm physical characteristics), many of which are shared across locations as states look to others for implementation guidance and work to build off the success of other locations (Schildkraut, 2019). The definitional meaning of an assault weapon also changed. In 1989, California became the first state to classify an assault weapon as a semiautomatic rifle that had certain firearm characteristics as defined within the law (Halbrook, 2016). This ban was named the Roberti-Roos Assault Weapons Control Act of 1989 and classified assault weapons as “semi-automatic rifles with detachable magazines with two specified generic characteristics, such as a bayonet mount and a pistol grip that protrudes conspicuously beneath the action of the weapon” (Halbrook, 2016, p. 50). This is where assault weapons began to be classified as semi-automatic, as opposed to fully automatic (e.g., a machine gun), a decision that would eventually

impact subsequent assault weapons bans elsewhere. As of 2019, seven states (California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, and New York) and the District of Columbia have implemented their own assault weapons bans (Koper, Johnson, & Nichols, 2018; Koper, Johnson, Nichols, Ayers, & Mullins, 2017; Schildkraut, 2019).

Some localities have also enacted assault weapons bans. For example, assault weapons are illegal to own in Chicago, yet they can be purchased in other jurisdictions within the boundaries of the State of Illinois. Assault weapons bans have been adapted and changed over time with varying levels of success where they have been utilized. It is also important to note that the U.S. Supreme Court has declined to hear appeals from state court cases where assault weapons bans have been put in place. This makes understanding the legality and regulation of assault weapons somewhat of a free for all; there is considerable variation across jurisdiction on the presence of assault weapons bans and the content of those bans. A concise and consistent definition is lacking of what an assault weapon is and if these weapons should be permitted to be owned by civilians. Looking at what the literature has suggested in relation to the effectiveness of assault weapons bans can enable more informed policy decisions. Until the Supreme Court steps in and gives a concise ruling on what kind of assault weapons ban can be implemented, there will continue to be disagreement as to whether they are constitutional.

History of Handgun Bans

Handgun bans are created to target the most common types of firearms used in violent crime. Handguns represent “40% of all civilian owned guns in circulation” (Weisser, 2018, p. 21). They are, however, disproportionately used in crimes relative to other types of firearms. According to Sloan et al. (1988), “handguns alone account for three fourths of all gun-related

homicides” (p. 1256). As such, targeting handguns through firearm bans is a strategy that lawmakers have used in order to try to decrease gun violence rates.

The first handgun ban was implemented in the District of Columbia in 1975 (Cook & Leitzel, 1996). It prohibited the ownership and possession of handgun(s) in public or in a citizen’s home. Basically, this was an all-out ban of handguns within this jurisdiction. The Firearms Control Regulations Act was created in order to decrease gun violence rates and lasted until the U.S. Supreme Court heard the *District of Columbia v. Heller* court case in 2008 (Craven, 2010). According to case law, “in June 2008 the Supreme Court held the District of Columbia laws restricting the possession of firearms in one's home violated the Second Amendment right of individuals to keep and bear arms” (*District of Columbia v. Heller*, p. 1248, 2011). The Court ruled “the D.C. handgun ban was unconstitutional because it removed the most common method of self-defense, rendering many people without viable alternatives” (Craven, 2010, p. 854). The District of Columbia ban was ultimately considered an infringement on the fundamental principle of American law, that people have an individual right and a duty to protect themselves (Kates, 2007). The *Heller* decision stated that individuals had the right to possess a handgun inside the home for the purpose of self-protection. The requirement that lawfully owned handguns must be disassembled and bound by a trigger lock violated the Second Amendment. As shown later in this review, the District of Columbia’s ban on handguns was an effective policy that decreased gun violence rates in this jurisdiction. According to Kennedy, Piehl and Braga (1996), the District of Columbia’s ban was a good step in the right direction to “end the arms race in our neighborhoods and streets” (p. 1). After this court case set the precedent for all other court cases to follow, the handgun ban that was established in Chicago, Illinois was challenged. An expansive ban on handguns existed in Chicago prior to the *McDonald* case.

Chicago banned the possession of firearms in 1981, making it illegal to have firearms in the home or on one's person in public (Cook & Leitzel, 1996). According to Ashman (1982), The District of Columbia's ban set the standard on acceptable prohibitions against handguns. This essentially made the possession of handguns illegal within the jurisdiction of Chicago. It was illegal to own or possess a handgun in the city. This was ruled unconstitutional by the U.S Supreme Court and this ban was struck down. This leads into the next point of the legality and court cases which followed these two cities which utilized firearm bans.

The ability of an individual to possess a handgun for self-defense, self-protection, and sporting purposes were the influencing factors that determined both the Heller and McDonald rulings. The Heller decision was a split vote 5-4 with two dissenting opinions. The Supreme Court established that an individual had an inherent right to self-preservation. The Supreme Court also established that firearms in common circulation could not be banned under federal, state, or local gun control laws. The Heller decision was a landmark court case that set a precedent for all other court cases to follow going forward in the handgun ban lineage. According to caselaw, "the Supreme Court explained the Second Amendment 'codified a pre-existing' individual right to keep and bear arms, 554 U.S. at 592, 128 S.Ct. 2783, which was important to Americans not only to maintain the militia, but also for self-defense and hunting, id. at 599, 128 S.Ct. 2783" (District of Columbia v. Heller, 2008, p. 1252). This ruling set the tone for McDonald v. Chicago to follow. Under this ban a citizen could not carry a handgun in public or possess one at their place of residence. In 2010, the Supreme Court ruled in McDonald v. Chicago that the handgun ban was unconstitutional and stated it should be abolished (Craven, 2010). Since the rulings in Heller and McDonald, handgun bans have had to be implemented or utilized differently. Still, the Court made clear "the right secured by the Second Amendment is

not unlimited, (id. at 626, 128 S.Ct. 2783), and it gave some examples to illustrate the boundaries of that right” (District of Columbia v. Heller, 2008, p. 1252). Consequently, it is more common to see handgun bans related to specific structures, buildings, or limited geographic areas. For example, it is permissible to restrict guns in school zones and on some college campuses. No longer do we see bans covering whole jurisdictions. The difference between this type of handgun regulation and an outright ban of handguns stems from the constitutionality of these restrictions. According to federal law, it is not illegal to restrict specific structures where handguns can be carried, but it is illegal to ban handguns from being possessed or carried by civilians everywhere (Craven, 2010).

It is easy to see how handgun bans have evolved over time. According to Rosenthal and Malcolm (2011), the Heller court case restricted federal government attempts to ban handguns; however, it was not until the McDonald case that individual citizens were protected from state municipal restrictions that attempted to take away their handguns. In the District of Columbia ruling, it was decided that an individual had a right to keep a firearm in their home and that the federal government could not take away a citizen’s constitutional rights to own a handgun. However, the District of Columbia ruling only applied to the federal government and not states or municipalities which may have prohibited handgun ownership. This is important because in order to understand how handgun bans are implemented, we must understand their history. Understanding why a ban was or was not effective could be directly tied to restrictions placed on it by its previous history. This is something that should be considered when reviewing the handgun ban literature. Knowing this could help to provide insightful solutions to the gun violence problems that exists in this country today. This could ultimately impact a great deal of people who face this problem on an annual basis.

History of Saturday Night Special Bans

Saturday night special bans target cheap, low quality or junk handguns that are commonly associated/recovered in many gun violence cases (Vernick, Webster, & Hepburn, 1999). According to Webster, Vernick, Bulzacchelli, and Vitti's (2012), junk guns are "small-caliber (.22, .25) and medium-caliber (.38, .380) handguns manufactured by companies that primarily or exclusively sell small, inexpensive (<\$150) handguns" (p. 89). These types of guns are more often used in crimes compared to other types of firearms (Webster et al., 2012). In fact, they are "three and one-half times more likely to be used in the commission of crimes than other guns" (Shine, 1998, p. 1183). Saturday night special bans have been implemented in different U.S. jurisdiction to try to eliminate their market availability and prevent them from being used in criminal events. On the federal level, the Gun Control Act of 1968 targeted low-priced imported handguns used disproportionately in crime (Zimring, 1975).

Though the Gun Control Act of 1968 addressed the big issue of cheap surplus handguns that were entering this country from foreign countries, it failed to address domestically made handguns that were similar in function and appearance (Zimring, 1975). Since the Gun Control Act of 1968 partially missed its mark and only banned cheap, low quality handguns from foreign countries, some states were forced to implement Saturday night special bans which focus on domestically produced guns. States where Saturday night special have been enacted include Maryland, California, New Jersey, and Hawaii (Hardy, 1983; Zimring, 1975).

On January 1, 1990, Maryland imposed a Saturday night special ban, an action that eventually resulted in other states following suit due to the law's success. According to Vernick, Webster, and Hepburn (1999), Baltimore, Maryland's implementation of a Saturday night special ban affected the types of guns that were used in crime. A cross sectional comparison of the

number of crime guns that were banned by Maryland law in comparison to 15 other cities outside of Maryland demonstrated that “a gun banned by Maryland’s law is more than twice as likely to be the subject of a crime gun trace request in 15 other cities combined than in Baltimore” (Vernick, Webster, and Hepburn, 1999, p. 259). Therefore, Maryland’s law was able to “reduce the use of banned Saturday night specials by criminals in Baltimore” (Vernick, Webster, and Hepburn, 1999, p. 259). Stated differently, Maryland’s law altered the types of firearms used in criminal events.

In 1993, California proposed the Violence Prevention Initiative (VPI) targeting handguns that were low quality and disposable low quality and disposable handguns commonly used in crimes within the state (Wallack, 1999). This initiative was also aimed at reducing youth gun violence rates partially resulting from cheap firearms. According to Calhoun (2013), the rate of homicide involving firearms increased 160% from 1960 to 1980, but other forms of homicide declined by 0.5% (Calhoun, 2013).

This increase in deaths because of firearms resulted in the banning of Saturday night specials. The Violence Prevention Initiative put forth in California was a 5-year, \$35 million-plan to implement Saturday night special bans and decrease gun violence rates. According to Wallack (1999) “prior to the VPI, there were no local SNS bans” (p. 841). This initiative was put in place very quickly because it was widely supported by the residents of California. According to Wallack (1999) “polls conducted early in the VPI indicated that 78% of voters in California supported a ban on SNSs. Even gun owners (76%) supported limits on these handguns, which were considered to be of poor quality, with little legitimate use for legal purposes” (p. 846). Citizens recognized the dangers associated with certain classes of handguns (i.e., cheap, disposable handguns). California is also the capital of junk gun production (Shine, 1998).

Therefore, the public also recognized the need for the regulation of the types of firearms classified as Saturday night specials.

Saturday night special bans have also been a hot topic of interest in California due to many significant mass causality events associated with firearms in the state. California has had a long history of deadly gun violence where mass shootings have taken the lives of many people. Giving a brief summary of these events can help provide insight into how gun control measures have grown and adapted to the different needs of society. In 1978, there were political assassinations in San Francisco allowing gun control measures to gain traction (Godwin & Schroedel, 2000). One of these events was the Moscone-Milk assassinations, which took the life of San Francisco Mayor George Moscone and Harvey Milk. They were both assassinated in the San Francisco City Hall by Dan White. Other events also reinforced the need to address firearm violence: the 1989 Stockton School Yard Massacre, the 1992 Los Angeles Riots, and the 1993 California Street Massacre and Pasadena Halloween Youth Killings (Godwin & Schroedel, 2000). These events combined created the impetus for change in California gun policies including the formation of Saturday night special bans.

New Jersey also enacted Saturday night special bans. Firearms which fall under this classification are treated like other consumer goods, as a dangerous product requiring regulation. This is important because it has allowed the politicians of New Jersey to impose a ban on specific types of handguns that are deemed more dangerous than other types of handguns (Kopel, 2000). The goal of this strategy was to “protect consumers against the foreseeable criminal acts of third persons” (Jennings, 1997, p. 66). Protecting the consumers of New Jersey was also achieved by attaching a liability clause associated with the sale of Saturday night special handguns in New Jersey. If a gun classified under the Saturday night special ban was used in a

criminal event, the possibility that the gun manufacturer or gun distributor could be held responsible was greatly increased. Certain types of guns deemed not practical for traditional consumers, or guns that were poorly built and favored by criminals due to their low price, were outlawed by New Jersey's ban.

Hawaii also passed a Saturday night special ban in 1974 due to a societal concern over the dangerousness of the surplus junk firearms that were in circulation in Hawaii (Hardy, 1983). This policy decision was enacted to decrease the number of junk firearms in circulation within the borders of Hawaii because it was assumed if common means to commit violent offenses were limited, gun violence rates would decrease. There was no liability clause attached to Saturday night special firearms if they were used in a crime (Jennings, 1997). So, manufacturers or gun distributors could not be held accountable in the same way they could in New Jersey. This could have ultimately impacted the success of Saturday night special bans in Hawaii.

In summary, Saturday night special bans started in 1968 with a federal government law targeting low priced imported handguns which were being used disproportionately in crime (Zimring, 1975). The Gun Control Act of 1968 suffered from an important limitation—it only banned cheap, low quality handguns from foreign countries. This initiative drastically missed domestically produced, cheap, low quality handguns and only focused on one source of Saturday night special firearms. Other states, including Maryland, California, New Jersey, and Hawaii, have implemented Saturday night special bans to target both domestically sourced and internationally imported firearms classified as Saturday night specials (Hardy, 1983; Zimring, 1975). Saturday night special bans indicate that these firearms are acquired from a variety of sources and the need to limit their acquisition is of great concern to society.

Summary

Assault weapons bans, handgun bans, and Saturday night special bans are the three most common firearm bans which are implemented in order to decrease gun violence rates. The problem and magnitude of gun violence which exists in this country solidified why firearms are a topic of interest to many people. This reinforced the need for different policies/interventions that have been created overtime. The history of assault weapons bans on both the state and federal level provided historical information in order to give a general context and an overview of the evolution of firearms bans. The history of handgun bans and their importance in the fight against gun violence was also discussed. The landmark court cases which have shaped handgun bans gave insight into why handguns bans have been modified over their long history. Moving forward in the literature we can begin to see how successful these different firearm bans have been in decreasing gun violence rates.

CHAPTER 3

METHODS

This paper used a systematic review in order to identify whether assault weapons bans, handgun bans, and Saturday night special bans are effective at decreasing gun availability/illicit gun markets, limiting production trends, decreasing gun violence rates, or decreasing the number of mass shootings which occur across this country. The review provided insight into the firearm bans which have the greatest potential to positively impact these different measures of effectiveness. To carry out this systematic review of the literature I conceptualized gun violence as the use of a firearm against oneself or another individual which results in death. The review covers the years 1979 to 2018, a period where a wide range of policies were implemented. The bulk of the literature pertaining to the effectiveness of these policies occurred during the years stated. Firearm bans such as the 1994 federal assault weapons ban, the District of Columbia's handgun ban, and other groundbreaking firearm bans reinforce why the years of 1979 to 2018 are important in this study's systematic examination of the literature.

Google Scholar was used to perform the systematic review. This review used the search terms "assault weapon bans effectiveness", "handgun ban effectiveness", and "Saturday night special ban effectiveness". There were many search results that appeared for each one of these different firearm bans. "Assault weapons ban effectiveness" had 37,500 results, "handgun ban effectiveness" had 17,900 results, and "Saturday night special ban effectiveness" had 35,300 results. The sheer number of articles which Google Scholar found made filtering down this research imperative. The review only examined studies that appeared on the first 10 pages of Google Scholar results. Google Scholar sorts articles based on how many times an article has been cited, so the first 10 pages included in my systematic review of the literature were the most

heavily cited articles about the topics being discussed (Beel & Gipp, 2009). By only looking at the most cited literature and defining the cutoff point of research for my review, this kept the review to a manageable size while also ensuring that only the most relevant research, as defined by citation counts, was included.

Articles were further filtered to ensure only empirical works were retained. Any article which was an opinion piece or did not pertain to the topic at hand was excluded from the systematic review of the literature. If an article was an opinion piece and not an empirical journal article, it was not included in the overall findings. This was done because of the practical constraints associated with this review. Therefore, the findings of this study only included research which used a methodological approach testing the effects of bans on any one of the different measures of effectiveness (i.e., decrease gun availability/illicit gun markets, limit production trends, decrease gun violence rates, or decreasing the number of mass shootings).

There was a substantial amount of literature associated with irrelevant topics which was excluded from this review. For example, articles which discussed what different gunshot wounds were like to treat in a hospital setting or articles which discussed banning firearms for the sheer reason that they harm people differently were excluded. Other articles that went off in a direction that was not related to the objective of this paper were excluded from the review. Though these topics may be interesting, it was the objective of the paper to review effectiveness research. Studies were systematically excluded from this review if they did not address the success of the three different firearm bans.

Overall, and using the specified criteria, the systematic review of the literature found five research articles that discussed the effectiveness of assault weapons bans, seven research articles which discussed the effectiveness of handgun bans, and six research articles which discussed the

effectiveness of Saturday night special bans. Additional non-empirical articles are discussed for context.

Before conducting a systematic review of the literature, it must be acknowledged that the method, as applied here, has limitations. The first one was that there was too much literature to review. This prevented my review from examining every study in existence about firearms bans. There were thousands of search results per firearm ban. Once my review defined that the first 10 pages of search results would be enough to conduct this systematic review of the literature, the volume of literature still had to be reduced. Articles were considered relevant when it was established that they discussed the relationship between firearm bans and the different measures of effectiveness examined in this study. Other limitations included limited search terms and a limited time frame to conduct a search. The search terms that were used to conduct this search were very broad due to the fact that this topic is very broad and disputed. Due to this broad search terms were used in a hope of covering a large body of disputed research. The scope of the review was constrained due to deadlines to complete the review. Political influence is another limitation that this study had to contend with. Throughout the literature there are many different political opinions that appeared to interject themselves into the literature. This made disseminating and collecting different research difficult. Personal views of the researcher was also a possible limitation of this study. This is because personal opinion sometimes finds its way into our research. Looking forward this needs to be addressed in research.

Another limitation of my study is that each study used different research methods. So, sample sizes, strengths of the study design were not taken into account by my review of the literature. Weighing the methods of one study against the methods of another study was not the main goal of my study. The goal of this review was to give a broad overview of what the

literature suggests about the effectiveness of these three different firearm bans and their overall effectiveness. Therefore, this is a limitation of my study because it is looking at the broad impact of these interventions and not necessary the individual methodical approaches used to conduct the different studies included in this review. These are the major limitations of my systematic review of the literature. Other limitations include the fact of the scope of this research is very broad and that future research should strive to narrow the findings presented in this paper. The final limitation of this study is that there are a lot of nuances within each ban; this makes comparing each ban difficult. Future research should strive to address these concerns. An example of this would be how a specific ban was implemented or the time frame in which the ban lasted.

Summary

Findings related to these three different types of firearm bans are shown in Tables 1, 2, and 3. Assault weapons bans produced mixed results in decreasing gun availability/illicit gun markets and mass shootings. Assault weapons bans were also found to be ineffective at decreasing production or gun violence rates. Handgun bans were found to be ineffective at decreasing gun violence rates. No other measure of effectiveness was reviewed by the handgun ban literature. Saturday night special bans were found to be effective at decreasing gun availability/illicit gun markets, however, they were found to ineffective at decreasing gun violence rates. No other measure of effectiveness was examined by the Saturday night special ban literature.

Table 1
Summary Findings from Firearm Ban Studies, 1979 to 2018
ASSAULT WEAPON BANS

Authors (Year)	Type of Ban	Measures of Effectiveness	Production Trends	Gun Violence Rates	Mass Shootings
Koper and Roth (2002)	1994 Federal Assault Weapons ban.	Created a short-term reduction in the availability of assault weapons to criminals	Caused the increase in production of AW's before the ban went into place		
Roth & Koper (1999)	1994 Federal Assault Weapons ban	Findings indicate that the federal assault weapons ban failed to target illicit gun markets		<p>The short-term impact of the 1994-1996 assault weapons ban demonstrates a positive impact on gun violence rates</p> <p>The ban failed to reduce the average number of victims per gun murder incident or multiple gunshot wound victims</p>	
Makarios & Pratt (2012)	1994 Federal Assault Weapons Ban			<p>Found that the federal assault weapons ban was moderately effective in reducing gun short term gun violence rates(+)</p> <p>The 1994 Federal assault weapons ban had no significant long-term effect on homicide rates. Only a short-term impact was observed.</p>	
Guis (2015)	State and Federal Assault Weapons Bans				<p>Federal and state assault weapons bans failed to decrease public mass shootings.</p> <p>Only the federal assault weapons ban had a negative effect on mass shooting injuries.</p>
Kleck (2001)	State and Federal Assault weapons Bans			<p>Found that assault weapons represent less than 2% of guns involved in gun violence events. In their study 41 of 43 estimates show that assault weapons were used in 1.8% of all gun violence events. Furthermore, Kleck found that assault weapons accounted for 1.39% of all crime guns.</p>	

Table 2
Summary Findings from Firearm Ban Studies, 1979 to 2018
HANDGUN BANS

Authors (Year)	Type of Ban	Measures of Effectiveness			
		Gun availability/ Illicit Gun Markets	Production Trends	Gun Violence Rates	Mass Shootings
Loftin et al. (1999)	District of Columbia handgun ban			Restrictive licensing of handguns was associated with a prompt decline in homicides and suicides by firearms in the District of Columbia.	
Jones et al. (1981)	District of Columbia handgun ban			Firearm Control Regulations act had a significantly positive impact on handgun homicides.	
Webster et al. (2014)	Missouri's handgun licensing law on homicides			An increase in annual firearm homicide rates in Missouri occurred.	
Kleck and Patterson (1993)	General Gun controls			Gun prevalence levels had no impact on total violence rates. Found that most gun control restrictions generally have no net effect on violence rates. Of the 108 assessments of effects of different gun laws on gun violence levels, 7 indicated good support for gun control and another 11 indicated partial support for gun control. Mixed evidence suggested that handgun bans may reduce suicide, though this weak result reflected such control in only two major cities (New York and Washington, DC).	
Brit, Bordua, and Kleck (1996)	1976 District of Columbia's handgun ban.			The D.C. handgun ban failed to decrease gun violence rates.	
Moorhouse and Wanner (2006)	State-level data and District of Columbia handgun ban data			The empirical analysis found no support for the contention that gun control reduces gun violence rates.	
Hahn et al. (2005)	Examination of federal, state and local laws to examine handgun bans.			Inconsistent findings. Study was unable to determine if Handgun bans impacted gun violence rates.	

Table 3
 Summary Findings from Firearm Ban Studies, 1979 to 2018
 SATURDAY NIGHT SPECIAL BANS

Authors (Year)	Type of Ban	Measures of Effectiveness			
		Gun availability/ Illicit Gun Markets	Production Trends	Gun Violence Rates	Mass Shootings
Vernick (1999)	Determine the effects of the 1988 Maryland law which banned Saturday night special handguns.	Maryland's law reduced the use of Saturday night special firearms by criminals in Baltimore" (p. 259).			
Weisser (2018)	Saturday night special bans implemented across different states.	Findings indicate that knowing what guns criminals use in gun violence events is the first step in decreasing gun violence rates. This helps guide policies which decrease the flow of crime prone guns into the streets.			
Webster et al. (2002)	Maryland's Saturday night special ban.			"There were no gun law effect estimates that approached statistical significance in any of the four alternative models" (p. 409). No significant findings.	
Wallack (1999)	Saturday night special bans in California.			"It is difficult to attribute specific and direct effects to the VPI" (p. 855). No significant findings.	
Calhoun (2013)	Saturday night special bans in California.			Saturday night special bans decrease gun violence rates.	
Hardy (1983)	Saturday night special ban in Hawaii.			Found when Saturday night special bans were implemented in that Hawaii, the murder rate increased 42%, rape increased 144%, and robbery increased 79%.	

CHAPTER 4

EMPIRICAL LITERATURE

Introduction

Assault weapons bans have produced different outcomes across the measures of effectiveness presented in this study. There have been many different assault weapons bans which have been implemented on both the federal and state levels. It can be said that the goal(s) of federal and state bans are similar. They both try to remove this type of firearm from public ownership. Of all the bans enacted, the 1934 NFA was the one major assault weapons ban which produced lasting change in how often machine guns are used in crime. The next ban that came in 1989 which placed a ban on foreign imports did very little to promote public safety or decrease gun violence during this time period. This can be demonstrated by the national production of assault weapons in 1993 even though there was a ban on assault weapons which were imports. Even after the ban of import rifles was in place there was still many assault rifles being produced domestically. Though assault weapons bans fell short of success in making a meaningful impact on gun violence rates they provided mixed results in decreasing gun availability/illicit gun markets. Assault weapons bans also provided mixed results on this type of bans effectiveness in decreasing mass shooting deaths or injuries. Furthermore, it was found that assault weapons bans did not decrease production trends of this kind of weapon.

Handgun bans target the types of firearms that are most commonly used in crime and violence. In the U.S., handguns are the main tool used to cause the gun violence problem that exists in this country. Due to this, handgun bans have been implemented which have prohibited the possession of handguns in some capacity. Different legislative actions revolve around the constitutionality of this type of firearm ban. The literature has suggested varying results

regarding the success of handgun bans across the jurisdictions in which they have been implemented. This will be discussed in further detail.

Saturday night special bans are another ban which has been implemented in order to address the problem of either gun availability/illicit gun markets, production trends, gun violence rates, or mass shootings. Most of the literature suggests that implementing Saturday night special bans is a promising strategy that can be implemented in order to decrease gun violence rates and curb gun availability/illicit gun markets. However, none of the literature discussed, production trends or mass shootings. Therefore, the only measure of effectiveness was gun availability/illicit gun markets and gun violence rates. Saturday night special bans target an important class of handguns which represent 1/3 of guns recovered at crime scenes (Weisser, 2018). The effectiveness of these types of bans are as follows.

Effectiveness of Assault Weapons Bans

Researchers have investigated different types of bans, including those restricting handguns, assault weapons, and Saturday night specials. As discussed in the background and history of firearm bans, the first assault weapons ban was enacted in 1934. The 1934 NFA made it illegal for the public to own fully automatic machine guns. This policy was enacted to suppress criminal enterprises that were flourishing and engaging in violence with assault weapons, including the fully automatic Tommy gun. Rarely has the success of the 1934 NFA been disputed in modern times. Though it took time and patience, the NFA achieved its goal of removing dangerous machine guns from the hands of individuals who would use them for criminal purposes. This is demonstrated by the fact that these types of assault weapons (machine guns) are rarely used in crime today (Roth & Koper, 1999). Most crimes involving rifles are semiautomatic rifles, not fully automatic assault weapons. This demonstrates that through the

legislation of the 1934 NFA, gun violence events that involve fully automatic assault rifles have been drastically reduced. Jacobs (2015) further suggested that there was a ten-year prison term attached to possession of firearms classified as assault weapons. Mandatory prison sentences coupled with low demand for criminal use of machine guns drove gun violence rates associated with these weapons down. Therefore, the 1934 NFA ban on fully automatic weapons successfully decreased gun violence rates.

Following the 1934 NFA, the next assault weapons ban would come in 1989. In 1989, the federal government made it illegal to import five categories of foreign rifles. The success of this ban has been widely debated because there have been either mixed results or others showing the absence of any effective outcomes. Looking at gun availability/illicit gun markets, it was found that assault weapons bans created a short-term reducing in the availability of assault weapons to criminals (Koper & Roth, 2002). However, the federal assault weapons ban failed to target illicit gun markets (Koper & Roth, 1999). These were the only two findings related to gun availability/illicit gun markets. The law failed to prohibit duplicates of banned rifles or rifles that functioned the same, but were not foreign imports (Koper & Roth, 2002; Roth & Koper, 1999). Furthermore, Tartaro (1995) suggests “the analysis of data from twenty-one city and county crime laboratories throughout California found that for 1989 only forty-five of the 4,844 firearms that the laboratories kept track of fell under the designation ‘assault weapon’” (p. 631). When Koper and Roth (2002) examined production trends for prohibited assault weapons during the 1989 ban they discovered that, “while the law bans exact copies of the named gun makes and models, cosmetic changes, such as removing a flash hider or bayonet mount, were sufficient to transform a banned weapon into a legal substitute, and a number of manufacturers produced modified, legal versions of some of the banned guns” (p. 242). Therefore, a slight modification

to banned firearms made them legal under this legislation. So, assault weapons bans were found to be ineffective at decreasing production trends of this type of weapon.

Another factor that inhibited the success of the 1989 ban on foreign import assault weapons was market saturation. Right before the 1989 ban was implemented, the sale of these rifles soared. According to Koper and Roth (2002) domestic assault weapons manufacturing increased 19% following the implementation of the 1989 ban. While newly imported firearms were banned, a huge surplus of these prohibited firearms entered circulation and were permitted via the law's grandfather clause. So, if a firearm entered this country prior to the ban, it was permitted to stay. The government allowed citizens to continue to own these weapons because they were lawfully purchased prior to the law being imposed.

Additionally, another factor that impacted the success of this assault weapons ban was domestically produced assault weapons. According to Koper and Roth's (2002) research, from 1989 through 1993, 91,137 assault weapons were produced annually. This research suggests that the even though the 1989 ban on foreign imported assault rifles existed, it did very little to slow the production of domestically produced assault rifles.

In sum, though the 1989 ban tried to limit assault weapon production by ceasing foreign imports, it failed to stop the production of domestically equivalent rifles. This is important to consider when looking at whether a policy decision was effective at achieving its desired goal. In this case, the policy did not actually decrease production trends or gun violence rates. However, mixed results were found in relation to the impact assault weapons bans had on gun availability/illicit gun markets. According to many, the 1989 ban on foreign imports had flaws that were not addressed sufficiently enough to see a meaningful impact on gun violence rates. Even though foreign import assault weapons were banned, U.S. domestic production of this type

of firearm increased to accommodate the demand that occurred due to limiting where these weapons can be manufactured. So, these weapons were just produced domestically. This, coupled with market saturation, decreased the effectiveness of the 1989 ban on foreign import assault weapons.

Following the ban of foreign imports, the Federal assault weapons ban of 1994 was passed by Congress. The 1994 assault weapons ban targeted rifles that had certain physical characteristics (i.e., features) present within their design. Lawmakers who constructed the 1994 federal assault weapons ban were intent on decreasing firearm-related crimes by banning the possession and sale of assault weapons. According to Koper and Roth (2002), manufacturers, retailers, and customer demand for assault weapons made the supply and demand for assault weapons increase prior to the enactment of the law. This limited the success of this gun violence intervention strategy and ultimately made the 1994 assault weapons ban very limited in its impact on production trends and gun violence rates. In 1994, production trends of prohibited assault weapons surged to 203,578 right before the ban was imposed (Koper & Roth, 2002). In the year prior to the law's passage, 91,137 rifles classified as assault weapons were sold. Therefore, the looming threat of an assault weapons ban drove the production and sale of these rifles up significantly. This created a surplus of rifles prior to the passage of the assault weapon ban. This action restricted what the policy was trying to do by saturating the gun market with weapons. All firearms sold prior to the ban would be grandfathered in and legal under the 1994 ban. For those interested in owning this type of firearm, it was important to purchase one prior to the ban. Ultimately, this limited the success of the law. The law's impact was also limited by the relative infrequency of assault weapon use during the commission of crimes. Looking at percentages presented in Jacobs (2015) study, "the most common assault weapons prohibited by

the 1994 federal ban accounted for between 1% and 6% of guns used in crime according to most of several national and local data sources” (p. 707). Though this statement demonstrates a variation of 5%, it still suggests that assault weapons represent a very small portion of guns used in crime. Another author also suggested that assault weapons are used in only about 2% of gun crimes (Halbrook, 2016). Overall, assault weapons are used in crimes a lot less often than other types of firearms. These findings support Makarios and Pratt’s (2012) statement which suggested that “the 1994 federal assault weapons ban had no significant effect on homicide rates” (p. 225). This is the case due to the relative infrequency in which assault weapons are used in homicides. It must be considered how much a certain policy costs to implement and weigh this against the magnitude of the problem trying to be addressed. When examining the different measures of effectiveness, it must be considered that other things such as gun availability/illicit gun markets, production trends, and mass shootings must be indicators of success beyond that of just gun violence rates when determining if assault weapons bans were effective. This leads into another issue which limited the success of assault weapons bans. That is, duplicate firearms further limited the success of the assault weapons ban. Halbrook (2016) professed that the limited effects of assault weapons bans were due to finding that assault weapons are rarely used in crimes, between 2 and 6 percent (Halbrook, 2012; Jacobs, 2015). The law’s failure to prohibit duplicate firearms or firearms that functioned similarly to prohibited weapons. To be a similar or duplicate rifle, the firearm needed to have cosmetic features similar to a military rifle. Therefore, by removing a prohibited feature such as a 20-round magazine or a flash hider, front pistol grip, bayonet mount, or similar feature, the rifle became legal but also retained almost identical functionality and appearance to the pre-modified weapon platform (Halbrook, 2016). These copycat rifles were able to be sold because they did not have the features which were outlined in

the law defining an assault weapon. The only thing that occurred during this time period is that more copycat firearms were being produced, undercutting the main goal of the legislation.

Most crimes are committed with handguns. This is the most popular and convenient firearm that can be used in criminal activities, particularly due to the fact that handguns can be easily concealed for use in crimes (Guis, 2015). Lack of concealability and relative difficulty of use are big reasons why assault weapons represent such a small portion of overall firearms used in crime. Much of the evidence surrounding the 1994 federal assault weapons ban demonstrated that this ban was not effective at decreasing gun violence rates due to a variety of different reasons. According to Roth and Koper (1999), the federal assault weapons ban was also not effective at decreasing gun violence rates due to the relatively short period of time in which the 1994 assault weapons ban was in place. Their study presented unclear findings about the effectiveness of the ban.

Roth and Koper's (1999) research used national and local data sources to examine "market trends, prices, production, and thefts for the banned weapons and close substitutes before estimating potential ban effects and their consequences" (p. 2). Their ultimate conclusion was that there were too many restrictions on the 1994 ban in order for this ban to be considered effective. Market trends, prices, production, and theft of assault weapons really affected the success of this ban. Similarly, another study produced by Koper and Roth arrived at the same conclusion as the Roth and Koper (1999) study. According to Koper and Roth (2002) "manufacturers, wholesalers, retailers, and consumers regarding gun control policies can have substantial effects on demand and supply for affected weapons both before and after a law's implementation. These factors will, in turn, affect the timing and form of a law's impact on the availability of affected weapons to criminals, and, by extension, a law's impact on gun violence"

(p. 264). This is due to how fluid and easily new firearm bans can be to external influenced placed on them. When tracing the lineage of assault weapons bans over time and looking at the impact that they have had on gun violence rates, Koper and Roth (2002) used state-level data from 1970 to 1995 to compare the rates of gun violence during this time period to the level of gun violence during the federal assault weapons ban that was enacted from 1995 to 2004. Their ultimate discovery was that the federal assault weapons ban had little to no impact on homicide rates during this time period. This was particularly due to this type of weapon being used in 2% of gun violence events and that the long-term impact of this ban did not reflect a change in how many assault weapons were in circulation and use (Koper & Roth, 2002).

According to Koper and Roth (2002) “assault weapons declined from 2.1% of confiscated guns before the ban to 1.6% after the ban, a relative decrease of about 24%” (p. 260). Therefore, before the ban went into place the rate in which this type of firearm was being seized was higher than the rate that this firearm was being seized after the ban was in place. As suggested by Kleck (2001) assault weapons represent less than 2% of guns involved in crime. In his study, 41 of 43 estimates showed that assault weapons were used in 1.8% of all gun violence events. Furthermore, Kleck found that assault weapons accounted for 1.39% of all crime guns (Kleck, 2001). So, it appears as though there was a larger reduction in the circulation of this firearm prior to an assault weapons ban being implemented but not a large decrease in gun violence rates associated with this type of firearm once this ban was in place. Once this firearm ban was put into place, we began to see less of this type of weapon being seized while gun violence rates associated with weapon remained stable. Following the 2004 expiration of the federal assault weapons ban, each individual state retained responsibility for the regulation of

assault weapons within the confines of its borders. This has resulted in seven states plus the District of Columbia creating their own state regulations to control assault weapons.

One study conducted by Guis (2015) looked beyond just murder rates and asked whether assault weapon bans affected mass shootings and murder rates. According to Guis's (2015) study, "both state and federal assault weapons bans have statistically significant and negative effects on mass shooting fatalities but, that only the federal assault weapons ban had a negative effect on mass shooting injuries" (p. 281). This finding suggests that federal and state assault weapons bans do not decrease public mass shootings, but federal assault weapons bans may be worth implementing due to their effectiveness in decreasing mass shooting injuries.

The 1994 federal assault weapons ban was influenced by lobbyist activity and the poor performance of the ban itself. So, the fact that the ban did not work as intended, greatly impacted why it was not continued after its expiration. This is because there were lobbyist groups such as the NRA who argued that since the ban did not decrease gun violence rates, it should not be continued.

Effectiveness of Handgun Bans

Handgun-related violence makes up the majority of the U.S. gun violence problem. When looking at what the literature suggested in relation to our different measures of effectiveness no studies discussed gun availability/illicit gun markets, production trends, or mass shootings, however, gun violence rates were discussed in great detail. Research shows that handgun bans produce mixed results in decreasing gun violence rates. This has created quite a bit of controversy among researchers. Most of the literature pertaining to handgun bans has only looked at the impact of the District of Columbia's ban. This is because the District of Columbia's ban was the largest type of handgun ban implemented on the federal level of government. No

other ban can exist the same way the District of Columbia's ban did because of the constitutional legitimacy of the ban itself. The Supreme Court ruled that the outright ban of handguns in the District of Columbia was unconstitutional. Therefore, any jurisdiction that wishes to impose a ban in the same way that the District of Columbia did will not be able to. As suggested by Loftin et al. (1991), restricting access to handguns is a topic of intense debate due to strong beliefs on both sides of the handgun ban literature. Some literature has found however, that the District of Columbia's ban decreased gun violence rates and research which suggests otherwise needs to make realistic assumptions about the impact of any intervention directed at gun violence (Jones, 1981). According to Jones's (1981) study, the data suggested that handgun fatalities can be reduced with restrictions aimed at limiting firearm ownership. This is particularly due to removing one avenue offenders use to acquire firearms. Other authors have also suggested that this is an effective method to influence gun violence. According to Loftin et al. (1991), the District of Columbia's ban on handguns was associated with a 23% decline in firearm homicides and suicides. It was also suggested that there was a thirteen percent rise in violent crime in the 10 years leading up to the Handgun Crime Control Act of 1981, but a steep decline once the District of Columbia's handgun ban was in place. (Loftin et al., 1991). Other studies have also supported the regulation of handguns. According to Jones et al. (1981), once the District of Columbia's handgun ban was in place it decreased gun violence rates by limiting access to firearms. In D.C the homicide rate involving handguns was 9.8 percent of the total homicides which occurred in Washington D.C. prior to the ban, however, following the implementation of the D.C. handgun ban, this percentage was decreased to 4.5 percent (Jones et al., 1981). This suggests that in this instance a handgun ban was successful in decreasing gun violence rates. Moving from the literature which suggests handgun bans are an effective method of addressing violence, there is

also literature which suggests otherwise. Webster, Crifasi, and Vernick's (2014) study indicated that handgun bans which were imposed in California and Massachusetts caused an increase in homicide rates. In California and Massachusetts, the relationship between state handgun bans and gun violence rates was examined. It was suggested that "new unsafe handgun bans adopted in California and Massachusetts were associated with an increase in total homicide rates" (Webster et al., 2014, p. 298). This was hypothesized to be caused by changes in local circumstances, such as gun trafficking to both areas, and changes in social norms (e.g., gang activity and how guns were acquired). Stated differently, restrictions in place in California and Massachusetts created an opportunity for gun trafficking. So, handgun ban restrictions produced illicit opportunities for illegal gun dealers (Webster et al., 2014). Firearms were being illegally imported and sold at a higher rate than they were prior to the ban due to the illicit business opportunity created by these new handgun restrictions. This in turn influences gun violence rates due to the increase in crime guns circulating on the streets.

In Kleck and Patterson's (1993) work "data was gathered on all 170 U.S. cities which had a population of at least 100,000 or larger. The cities were coded for the presence of 19 major categories of firearms restrictions, including both state- and city-level restrictions. Multiple indirect indicators of gun prevalence levels were measured, and models of city violence rates were estimated using two-state least-squares methods" (p. 249). They examined 29 different studies and found 4 studies suggested gun control measures decreased gun violence rates, 8 studies had mixed results, and 17 studies suggested that gun control was not effective at decreasing gun violence rates. This indicates that more studies found that gun control measures were ineffective at decreasing gun violence rates than studies which suggested that gun control decreased gun violence rates. They also found that "most gun control restrictions generally have

no net effect on violence rates” (Kleck & Patterson, 1993, p. 249). They suggested that the most promising way to decrease gun violence rates would be to implement mandatory penalties that target gun carrying habits of offenders. Gun control measures increase demand for illicit gun markets once they are implemented. This in turn, can cause an increase in gun violence rates where gun control measures are in place. By targeting the offenders who are most likely to carry firearms and punishing them accordingly, potential offenders should be deterred. This would be a more promising alternative to most gun control measures (Kleck & Patterson, 1993).

Another study by Britt, Bordua, and Kleck (1996) examined the impact and effectiveness of the District of Columbia’s handgun ban on gun violence rates. In this study, monthly homicide data was used from the Federal Bureau of Investigation and the National Center for Health Statistics in order to determine the impact of the D.C. handgun ban. Gun violence rates did not decrease once this handgun ban was in place. This study also compared the findings to Baltimore’s gun violence rates given its similarity to D.C. and the fact that it did not have a handgun ban at the time. Therefore, an area with a handgun ban and an area without a handgun ban were examined to see if a handgun ban in one city changed gun violence rates across two similarly situated cities. In Baltimore where no handgun ban was in place, a reduction in handgun death fatalities occurred but in D.C where there was a handgun ban, no reductions in gun violence rates occurred (Britt et al., 1996).

Some evidence presented in research suggests that the District of Columbia’s handgun ban was effective at decreasing gun violence rates because there was a reduction in the number of deaths that occurred following the implementation of the ban. This finding, however, does not take into account a general pattern of declining gun violence rates that preceded the enactment of the ban by two years (Britt et al., 1996; Kleck & Patterson, 1993). However, Loftin et al. (1991)

suggested that there was a thirteen percent rise in violent crime in the 10 years leading up to the Handgun Crime Control Act of 1981. Therefore, disagreement exists as to whether there was an increase or decrease in crime leading up to the Crime Control Act of 1981. When taking into consideration what the bulk of the literature related to the District of Columbia's handgun ban suggests, we begin to see that the prohibition of the ownership and possession of handguns does not necessarily mean that gun violence rates will decrease. According to Moorhouse and Wanner (2006)

Using state-level data and that for the District of Columbia, this study estimates both the impact of gun control on crime rates and the influence of crime rates on gun control. The measure of gun control adopted here is a comprehensive index, published by the Open Society Institute, covering 30 different facets of state gun laws, enforcement effort, and the stringency of local gun ordinances. The index weights upstream measures. It also weights regulations governing handguns more heavily than those on long guns. Using a vector of demographic economic, and law enforcement control variables, the empirical analysis presented here provides no support for the contention that gun control reduces crime rates (p. 121).

They gave two possible explanations for this finding. They suggested that gun control may not influence how criminals acquire firearms because criminals break the law to purchase guns through illicit markets or can acquire their firearms through theft. Though banning handguns has decreased gun violence rates in the United Kingdom, Australia, and Canada, the U.S. is drastically different than these countries and helps explain why the U.S. has not had the same benefits associated with banning handgun possession (Mauser, 2012). The heterogeneous nature of the U.S. as well as the gun culture that is rooted in the history of this country makes handgun bans less successful than anticipated. The culture surrounding guns in this country glorifies guns and makes freedom synonymous with firearms. Therefore, looking at how the United States gained its independence and freedom from Great Britain can help explain how and why there is such a tight hold by Americans onto their firearms (Mauser, 2012). The culture of

guns in this country is rooted in the belief of self-preservation and the ability to fight against tyranny imposed by the government. This is what makes the U.S. different than other countries in their quest to control and regulate firearms.

Court cases have helped solidify what the U.S. Constitution states in regard to the right to keep and bear arms. In the court case *District of Columbia v. Heller* in 2008 the U.S. Supreme Court ruled that any handgun ban which removed an individual citizen's ability to protect and defend themselves is a violation of the Second Amendment (Craven, 2010). Therefore, taking into account what the literature has suggested in regard to the success of the District of Columbia's handgun ban, other bans implemented across this country, and Supreme Court rulings, we can see how successful handgun bans have been where they have been implemented and whether or not they are a viable solution to the problem of gun violence.

In the present-day America, handgun bans do not exist in the way they did in the District of Columbia or Chicago prior to the court rulings that changed the way these two locations implemented controls on handguns. There are certain locations where handguns are more tightly regulated; this is achieved by making it more difficult for individuals to legally acquire a firearm or carry a firearm in a legal capacity. How handgun bans have been implemented over time, as well as court rulings that have given them direction and imposed limitations, must be considered when providing policy recommendations. As suggested by the literature, handgun bans have demonstrated mixed results, however, much of the research suggests that they do not work the way they were intended. Of the studies reviewed more of them found that handgun bans do not decrease gun violence than those which found that they did. Court rulings that have been passed have demonstrated that outright total handgun bans are not a currently legally acceptable practice to decrease gun violence rates (Craven, 2010). Therefore, Supreme Court rulings have stated that

blanket handgun bans cannot exist and that blanket handgun bans cannot deny handgun ownership to law abiding citizens. This has ultimately impacted the potential effectiveness of handgun bans in America.

Effectiveness of Saturday Night Special Bans

Throughout the literature, Saturday night special bans have demonstrated an important role in regulating certain types of weapons prone to use in crime. Within the literature reviewed, Saturday night special bans only significantly affected gun availability/illicit gun markets. They were ineffective at reducing gun violence rates and, because of the lack of literature, no assessments were made about the effects of bans on production or mass shootings.

Most of the literature collected either discussed gun availability/illicit gun markets or gun violence rates. Proponents of Saturday night special bans suggest that they take away the most common types of firearms used in crimes (Vernick, 1999; Weisser, 2018). According to research, firearms which meet the requirements to be classified as Saturday special firearms are weapons which are cheap and are well-liked by criminals due to the little value that must be invested in this tool. Most literature pertaining to Saturday night special bans has found that banning low quality, cheap, handguns produced non-significant results in decreasing gun violence rates, however, this may be an effective strategy to decrease gun availability/illicit gun markets. According to Weisser (2018) junk guns which were used in crimes and then traced by the ATF account for one-third of all gun recovered annually. This is due to its high proclivity toward being carried by criminals.

Maryland is a perfect example to discuss Saturday night special bans. Once Maryland had a Saturday night special ban in place, fewer Saturday night special firearms were recovered from crime scenes (Vernick et al., 1999). Specifically, the law decreased the proportion of low caliber

handguns that were used in crime by about 12 percentage points. The findings suggest that Saturday night special bans “can affect the type of gun used by criminals” (p. 263). This demonstrates that the availability of this firearm can directly impact the carrying habits of these guns by offenders. Saturday night special bans can also be an important tool in order to decrease the illicit gun markets surrounding this type of handgun.

Moving from Maryland to California, researchers have also found that Saturday night special bans produced non-significant decreases in gun violence rates; however, it was found that this type of ban can impact availability of this type of firearm. Wallack (1999) noted 80% of Saturday night special firearms are produced in Southern California. Knowing this, there was an apparent need to regulate cheap, low quality Saturday night special firearms. As suggested by Wallack (1999), Saturday night special bans have shown in California that if you can guide what type of handguns are able to be sold to the public, this can in turn could be a real and effective strategy to decrease gun violence across the state.

California regulated guns similar to other consumer products. According to Godwin and Schroedel (2000), California used “legal action to sue gun manufacturers alleging violations of California’s consumer protection laws” (p. 762). California wanted to regulate firearms the same as other products which could harm or have harmed citizens. It was also the hope that this policy would be replicated by other states which were trying to make it more difficult to sell guns to citizens. Gun dealers might think twice before selling guns to people who looked like they were going to use them for illicit purposes. So besides banning cheap, low quality firearms that had a proclivity to be used by offenders in gun crimes, California also used legal action to target the poor intentions of gun manufacturers who produced firearms classified under Saturday night special bans. These types of firearms classified under Saturday night specials were used for

purposes often associated with criminal activity and not much else. Collectors or general citizens rarely seek out these types of firearms when making a handgun purchase (Goodwin & Schroedel, 2000). They were instead more commonly used as a cheap gun for violent criminals needing a gun that could be disposable after their crime was committed (Wallack, 1999). Gun manufacturers knew this and used this type of firearm to make profits off a niche market.

Another study has supported the notion that the way California went about targeting Saturday night special firearms was an effective and useful strategy to target the most common types of guns used in crime (Kopel, 2000). Guns should be treated like other consumer products because a certain amount of government regulation is imperative to improve the safety of the public when potentially dangerous tools (i.e., guns) are involved. Using the consumer products approach to ban and regulate the types of firearms that gun manufacturers produce demonstrated promising results in decreasing gun violence rates in California. A study of youth in Oakland, California demonstrated that the cheap, low quality handguns which flooded the streets in California impacted the number of youths who carried a gun to school (Calhoun, 2013).

According to Calhoun (2013) “one in twenty high school youth reported that they had carried a gun to school” (p. 73). This number was suggested to be so high because of the many pocket-sized, cheap, low quality firearms which were introduced to the California gun market. This is significant because if Saturday night special bans can decrease the surplus of cheap, low quality firearms on the streets which are easily accessible to some youth, this could decrease the number of youth deaths resulting from firearms. According to Weisser (2018) junk guns which were used in crimes and then traced by the ATF account for one-third of all gun recovered annually. However, there exists literature which suggests that Saturday night special bans were not effective in decreasing gun violence rates. It was noted in Webster et al.’s (2002) study that

Maryland's Saturday night special ban impacted aggregate handgun sales but not gun violence rates. Furthermore, Webster et al. (2002) suggested that it was difficult to determine why rates in homicide changed following the implementation of Saturday night special bans. This is due to the many different variables that could have potentially impacted gun violence rates. As suggested by Webster et al. (2002) homicide rates in Maryland could have potentially been influenced by social standards, and demographic and economic covariates. This finding suggested that "gun law effect estimates can be sensitive to the assumptions made about the plausible timing of their effects" (Webster et al., 2002, p. 412). This suggests that even though a Saturday night special ban was imposed in Maryland and decreases in crime rates also occurred following its implementation, this does not necessarily mean that the decrease in gun violence rates resulted from the Saturday night special ban. The decrease in gun violence rate could have been a result of some other confounding phenomena. Other authors such as Wallack (1999) also found non-significant results. In this study. The author stated that "it was difficult to attribute specific and direct effects of the VPI (Violence Prevention Initiative)" (Wallack, 1999, p. 855).

Hardy (1983) conducted a study in Hawaii which found when Saturday night special bans were implemented in that state, the murder rate increased 42%, rape increased 144%, and robbery increased 79%. What all the evidence suggests in relation to Saturday night special bans is that they appear to be effective in decreasing the availability or illicit gun markets that revolve around this weapon, however, it was found that this type of ban had no significant impact on gun violence rates or mass shootings. This is what a majority of the literature suggests about Saturday night special bans. Therefore, due to the complexity of studying firearm bans and looking at all the nuanced details about different bans across various locations there are discrepancies as to whether Saturday night special bans are effective by various measures of effectiveness.

There are multiple arguments which are made against Saturday night special bans. Some researchers have argued that Saturday night special bans increase gun violence rates while others argue that Saturday night special bans only take away guns from poor people who live in neighborhoods that are extremely dangerous (Hardy, 1983; Webster, 2002). Saturday night special bans take away common means of protection from individuals who do not possess a lot of money. As suggested by Webster, (2002) Saturday night special bans take away firearms which are affordable to indigent individuals who are inclined to need a firearm for protection the most. When Saturday night special bans are implemented, they target the classes of weapons that most indigent people are able to afford. This drastically impacts some people's ability to acquire a firearm once these types of bans have gone into place.

As suggested by Cook (1981), at this point in time, it is unreasonable to assume that the price of a firearm will dictate the number of crimes committed by indigent individuals. Saturday night special bans disproportionately target indigent individuals who are law abiding. Saturday night special bans may not affect criminals the way that it affects indigent law-abiding citizens. Making assumptions about proclivity towards crime based on social status or wealth is not a means to create effective policy decisions. The consequences of targeting cheap firearms on certain populations in our society should be studied. If the benefits of removing Saturday night special firearms outweigh the cons of removing cheap firearms from indigent populations, this should be considered in policy decisions. The literature collected for this study suggests universally that Saturday night special bans are effective at decreasing gun availability/illicit gun markets but there ineffective at reducing gun violence rates. None of the literature reviewed discussed the other two measures of effectiveness in this studies production trends or mass shootings.

CHAPTER 5

POLICY RECOMMENDATIONS

The evidence suggested in the literature review reinforce and guide suggestions of whether the three types of firearm bans are effective methods that can be implemented to decrease gun availability/illicit gun markets, production trends, gun violence rates, or mass shootings. It should be noted that the guiding principle of this paper was to review what most of the studies suggested in relation to the effectiveness of these different firearm bans. Looking at firearm bans it is difficult to determine the quality of evidence due to extraneous factors, public opinion, and ethics/morality of people who weigh in on these topics. Research pertaining to firearm bans is also affected by political influence in research. This topic is highly disputed and comprised of many different details between each ban, which makes determining overall effectiveness challenging. Methodologically, studies can be drastically different and how and why studies were conducted in a certain way can vary drastically. I determined if a firearm ban was successful if more studies found that it was successful than not successful. This provided more simplicity in assessing each study; however, it is also a major limitation of this study because it fails to take into account the methodological strength of each study reviewed. Another limitation of this study is that the study itself is very broad.

Assault Weapons

Assault weapons bans started with the 1934 NFA and advanced from there. Assault weapons bans have targeted firearms which have certain features present within their design. Overall findings suggested mixed results in determining the effectiveness of assault weapon bans and their ability to decrease gun availability/illicit gun markets and mass shootings. Due to the practical constraints of this study gun availability/illicit gun markets demonstrated that more

research needed to be done on this topic in the future. This is because the research is so conflicted and scattered. This is also the case for mass shooting literature related to assault weapon bans. Additionally, it was also found that assault weapons bans were not effective in decreasing production or gun violence rates. Therefore, it must suggested that more research needs to be done to determine if assault weapons bans can be implemented in order to potentially make a positive impact on society. This is because there

Handgun Bans

The effectiveness of handgun bans was mixed throughout the literature. A lot of the literature reviewed looked at the District of Columbia's handgun ban. This is because this was the largest federal handgun ban that has ever been implemented. Due to the restrictions that this ban placed on citizens the U.S. Supreme Court eventually hear this case. This resulted in Supreme Court rulings which defined what kind of restrictions could be placed on handguns. Of the different handgun bans reviewed the general consensus is that they generally do not have the desired impact on gun violence rates. None of the literature reviewed looked at any other measure of effectiveness other than gun violence rates. Therefore, this was the only measure of effectiveness related to this type of firearm ban. Four of the seven articles found that handgun bans had a negative impact on gun violence rates. Two articles found that handgun bans have a positive impact on gun violence rates. Therefore, more of the studies found that handgun bans were not an effective strategy to decrease gun violence rates.

Throughout the literature review it has been suggested that in places which have implemented handgun bans, they have not been as successful as anticipated. According to Mauser (2012), handgun bans are generally unsuccessful because there are too many guns in circulation for handgun bans to make a meaningful impact on gun violence rates. This is because

guns are so readily available to criminals that restricting the formal market of handguns is overshadowed by the illicit market that exists for handguns in this country. When examining the District of Columbia's handgun ban, the literature suggested that even though there was a handgun ban in place, the rate of gun violence in this jurisdiction was still significantly higher than areas without a handgun ban with similar population density, racial and class composition, and economy (Moorhouse & Wanner, 2006; Kleck & Patterson, 1993). So, considering the constitutionality of handgun bans, as well as what the literature suggested in relation to their effectiveness, I would suggest that an alternative strategy be to target individuals who are most prone to use handguns in an illicit manner. This could be done through increased sentence lengths when a firearm is involved in a crime or hot spots policing tactics could be implemented in order to address gun problems in certain locations (Kleck & Patterson, 1993).

When looking at the effectiveness of handgun bans it is also important to consider what some literature has suggested in regard to the amount of legally owned handguns that are actually used in crime by law abiding citizens. According to Kates (1979), people who commit murder with a handgun represent a very small portion of all handgun owners in U.S. society. Kates (1979) goes on to suggest that most handgun owners are law abiding firearm owners who do not deserve regulations which take away their right to own a firearm. This becomes a constitutional issue when this is done. Looking at the District of Columbia ban can help provide insight into this fundamental right. Malcom (2008) suggests that the District of Columbia ban failed to protect its citizens during the application of the handgun ban because it deprived citizens of the right to protect themselves. It is also important to consider that the District of Columbia's homicide rate did not drastically decline after the ban was in place (Malcom, 2008). This was particularly due to declining homicide rates prior to the ban. The only real thing that

that the District of Columbia's handgun ban did was limit the ability of law-abiding citizens to acquire a handgun. It was suggested by Kates (1979) that handgun bans do not decrease gun violence rates due to already low and declining crime rates coupled with the small percentage of gun owners who actually use their guns in homicides. These two considerations weighed against taking away a citizen's proper means to protect themselves (e.g., handguns) are the reasons why handgun bans do not decrease crime rates as drastically as commonly anticipated.

Lastly, implementing mandatory penalties that target gun carrying habits of offenders could provide incentive for offenders to carry guns less often (Kleck & Patterson, 1993). If offenders are held responsible for their illegal gun carrying habits, this could potentially encourage them not to carry firearms. Implementing mandatory penalties (i.e., mandatory minimum prison sentences when guns are involved and elevated sentencing), I believe would be more successful than creating gun free zones because there is no guarantee that offenders will obey the restrictions of gun free zones. Offenders break laws often, therefore, creating another one for them to follow creates more questions as to whether they will follow it.

As suggested by Kleck and Patterson (1993) one of the most promising way to decrease gun violence rates would be to implement mandatory penalties that target gun carrying habits of offenders. This would be a mechanism that could be used to punish offenders as opposed to hoping that offenders will follow another law. Another promising way to decrease gun violence rates would be to improve the system of universal background checks in order to make them more effective at restricting gun purchases to individuals who should not possess firearms. If it was possible to remove all handguns from U.S. society, this would certainly decrease gun violence rates. This is particularly due to the fact that most gun violence is committed with handguns. However, this is not a feasible option. This is due to the fact that there are too many

guns in circulation for this to work and the U.S. Supreme Court has ruled that it violates the constitution.

Saturday Night Special Ban

The Saturday night special ban literature suggested some interesting findings. It was found that Saturday night special bans were effective at decreasing gun availability/illicit gun markets. Saturday night special bans provided a non-significant impact in decreasing gun violence rates. Two studies had no significant results, while one study had positive results and the other study had a negative result. Therefore, more of the studies found that Saturday night special bans had a non-significant impact on gun violence rates. The other two measures of effectiveness were not covered in the Saturday night special ban literature.

Saturday night special bans target the most common type of firearms that are being used by offenders; which are low quality, cheap, and disposable (Vernick et al., 1999). This type of ban demonstrates great success in regulating and controlling these junk firearms. In Maryland where a Saturday night special ban was implemented the proportion of low caliber handguns used in violent crime was reduced by 12 percentage points (Vernick et al., 1999). As suggested previously, Weisser (2018) found that of the handguns where recovered by the ATF one-third of them were junk firearms.

These findings demonstrate a need for the restriction of handguns targeted by Saturday night special bans because these types of handguns are more likely to be used in crime. This is based merely on the finding that this intervention is effective in controlling the availability of this gun and the illicit gun markets that surround this type of firearm. This is because cheap, junk firearms are the weapon of choice for most criminals. This is due to their cheap price, and ability to be disposed of with little personal investment. I would, therefore, suggest that Saturday night

special bans continue to be implemented. I would also suggest that in other locations that do not have Saturday night special bans, they implement this type of gun control policy because the literature has suggested that this is an effective method which can be implemented to decrease the availability/markets of Saturday night specials. I would advocate for creating regulations to stop the sale of cheap and disposable handguns. The goal of this would be to cut down on the supply of cheap, disposable, crime guns in circulation. Decreasing gun violence rates can potentially be achieved by controlling a small set of the overall handgun population responsible for the most amount of damage to our society. Through legislation targeting cheap, disposable, crime guns can help achieve this.

Another thing that makes Saturday night special bans different than other gun policies that have been implemented is the wide support for this type of ban. According to Wallack (1999) 78% of people polled for their study supported Saturday night special bans. The support for this restriction is different than handgun bans because most people recognize that certain weapons need to be controlled more heavily than others. Also, a restriction placed on Saturday night special bans does not impede on someone's constitutional rights as much as a ban of Saturday night specials. Having public support for a specific gun control policy is an important component that could potentially increase the success of the specific intervention that is being tested. Saturday night special bans demonstrated this in California, the capital of junk firearm production. As suggested previously by Wallack (1999) 80% of all Saturday night special firearms are produced in Southern California. In generating large public support for Saturday night special bans, they were able to decrease gun violence rates by implementing a gun control policy that had mass support from the public. Public support for Saturday night special bans, as well as, the success of this policy compiled across multiple locations brings me to the conclusion

that this gun control policy actually makes a meaningful impact on gun violence rates where it is implemented. Taking firearms off the street which are designed and dispersed with the intention that they will be used in crime is an empirically based and intelligent decision that can be made in order to decrease the staggering gun violence levels that exist in this country.

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Research Paper Title:

Firearm Bans and Gun Violence

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