

The 2007 Statehouse Day position paper written by **Rosie Craig**, LWVO Gun Control Specialist. Rosie is a member of LWV of Shaker Heights.

Gun Control: Three Issues

Who in Ohio shall have a gun?

It is the government's job to promote the general welfare. What should Ohio be doing to keep its citizens safe from gun violence? Since the 1930's, federal law has prohibited certain classes of citizenry, most notably criminals and minors, from purchasing guns. Yet it was not until the "Brady Law," a federal bill passed in 1993, that a person's criminal record was checked before buying the gun. But ah! The compromise! Secondary sales or sales from a person's private collection were exempt.

This loophole in the Brady Law has promoted a veritable industry of part-time businesses which sell firearms at gun shows and auctions, even brazenly enticing buyers with the appeal of "no background checks." It is estimated that 40% of all firearms are sold in America without a background check on the purchaser. Many states have closed this loop hole with state laws, but Ohio has not! Ohio is a gun trafficking state to its own citizens and the rest of the country.

Closing the "Gun Show/Private Sale Loophole" would be the most important piece of legislation for Ohio to act upon. It only makes sense to keep guns out of the hands of criminals. This legislation, if given half a chance by the Ohio legislators, should not meet with resistance from constituents as the majority of law-abiding gun enthusiasts have been participating in the system of background checks on new purchases for more than 12 years. Typically a purchaser's background check is completed in less than one minute.

Currently, mayors across the United States are banding together, under the leadership of Mayor Bloomberg of New York, to call attention to the problems in their cities stemming from illegal gun trafficking. Click the link below to see Mayors Against Illegal Guns:
<http://www.mayorsagainstilllegalguns.org/html/faq/faq.shtml#rules>

Besides looking at state laws, they are addressing problems in federal firearms licensing laws and their enforcement. About 1% of gun dealers are the source of nearly 60% of crime guns traced nationwide each year. If we could close the gun show loophole and crack down on "bad apple" dealers, the potential exists for many lives to be saved.

Is that a gun in whose pocket?

Strong gun rights advocacy groups in Ohio lobbied and saw passage of Ohio's law to carry a concealed (loaded) handgun in 2004, commonly referred to as CCW. They claimed that a gun on the person was needed for self defense purposes. This law set up a licensing system whereby a citizen would be granted a license to carry and conceal a loaded weapon in public if the applicant completed a training course and passed a criminal background check. Proponents of the law claimed that law-abiding citizens who carry handguns would not increase the risk to the public, and would actually make Ohio communities safer.

Since the law was enacted in April of 2004, over 960 CCW licenses have been suspended or

revoked. Why were these licenses suspended or revoked? Was it because the licensee died? Was the licensee a perpetrator of domestic violence? Did the licensee commit armed robbery? The citizens of Ohio are prohibited from examining whether or not criminal activity is greater among licensees, and whether the criteria for granting a license is adequate to keep the public safe. This should be changed so that the law can be examined to assess the safety of Ohio citizenry. Otherwise, CCW advocates can claim any truth that serves their needs.

Our Second Amendment stumbling block

Who should have a gun, who shall carry a gun, and who actually gets a gun in America? America suffers from gun violence as does no other industrialized nation on this planet. Over 30,000 American civilians die of gun violence each year.

The League of Women Voters takes the position that Second Amendment refers to a collective right of the people to support their militia, or in modern terms, their local and state police power: including when appropriate, the National Guard.

For many Americans, understanding the Second Amendment is a great source of confusion and stumbling block to their participation in the gun control debate. The discussion of the Second Amendment on Wikipedia includes fascinating historical and modern insights into some of the most hotly debated words of our U.S. Constitution. Please consider improving your understanding of Second Amendment issues.

The right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of a republic; since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them. And yet, though this truth would seem so clear, and the importance of a well regulated militia would seem so undeniable, it cannot be disguised, that among the American people there is a growing indifference to any system of militia discipline, and a strong disposition, from a sense of its burthens, to be rid of all regulations. How it is practicable to keep the people duly armed without some organization, it is difficult to see. There is certainly no small danger, that indifference may lead to disgust, and disgust to contempt; and thus gradually undermine all the protection intended by this clause of our national bill of rights. Commentaries on the U.S. Constitution, 1833 -Associate Justice of the Supreme Court Joseph Story. http://en.wikipedia.org/wiki/Second_Amendment_to_the_United_States_Constitution

Message

- In Ohio, pass legislation to require background checks on all gun purchases.
- Enact legislation to allow public access to CCW licensee data.
- Improve understanding of the Second Amendment.

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