

# Unruly Artifacts and Controversial Policy: Guns in America 1934- 2005

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# Overview

- Social Construction of Technological Systems (SCOTS) Perspective
- Firearms are contentious artifacts
- Technological Innovations outpace Regulations

# Relevant Social Groups

- Policy Makers
- Legitimate Users/Owners
- Law Enforcement/Military
- Illegitimate Users/Criminals
- Health Care Providers
- Lobbyists
- Manufacturers

# Contention

- Conflicting reports – analysis of crime, injury, and death data by different groups
- Statistics are often conflated
  - Homicide/suicide
  - Violent crimes
  - Other deadly weapons
- 2<sup>nd</sup> Amendment viewed as Fundamental Right
- Artifacts outpace policy – high capacity/high lethality weapons

# Legislative Landmarks

2<sup>nd</sup> Amendment 1789/1791

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

# 18<sup>th</sup> Century Artifacts



# Legislative Landmarks

- National Firearms Act of 1934
- Registration & Transfer Tax
  - Fully automatic firearms
  - Silencers (suppressors)
  - Short-barreled firearms
  - AOWs

# Early 20<sup>th</sup> Century Artifacts





# Legislative Landmarks

- Assault Weapons Ban 1994-2004
  - “Clinton Ban”
  - "Large" or "High" capacity detachable magazine, usually defined as holding more than 10 rounds;
  - Military-style appearance, including semi-automatic replicas of military fully-automatic assault rifles;
  - Folding or telescoping stock;
  - A grenade launcher;
  - On rifles and shotguns, those with pistol-type grips;
  - A bayonet mount;
  - Threaded barrel capable of accepting a flash suppressor or sound suppressor (aka *silencer*);
  - Weapons that include a barrel shroud or other covering that permits the shooter to hold the firearm with the non-trigger hand without being burned;
  - On pistols, those on which the magazine attaches outside of the pistol grip;
  - Any rifle chambered to fire the .50 BMG cartridge. (In California)

# Assault Weapons

## Gun ban expires, legalizes making of military-style features

A law banning the manufacture of semiautomatic assault weapons expires Monday. The law defined an assault weapon as any semiautomatic rifle with a detachable magazine bearing at least two other military-style features from a list of five.

❶ **Retractable stock**  
Shortens rifle length

❷ **Bayonet lug**  
for attaching a large knife

❸ **Flash suppressor**  
Limits the flash to conceal the shooter

❹ **Pistol grip**

❺ **Grenade launcher**  
Rifle grenades exist that can attach to the flash suppressor, though they are illegal. External grenade launchers remain illegal.

During the ban, makers of assault rifles sold the same pistol grip guns without the other four features. Pre-ban weapons were legal to own and sell.

10-round magazine

**Detachable magazines**  
The law limited magazines to containing 10 rounds.

Note: Based on a Colt AR-15 style rifle

### Automatic weapons stay banned

Gun makers often sell semiautomatic versions of military weapons to attract collectors. They are similar in appearance and name but have the same capabilities as common semiautomatic hunting rifles.

**Automatic Weapons** ...

... are available to the military and law enforcement.  
... fire continuously when the trigger is held.  
... are illegal to the public.

**Semiautomatic Weapons** ...

... fire one bullet with each pull of the trigger.  
... reload the chamber using air pressure from the last round.  
... are legal to the public.

# Unruly Statistics

- Kellermann and Reay (1986) "Protection or Peril? An Analysis of Firearms Related Deaths in the Home." New England Journal of Medicine. 314: 1557-60.
- 43:1 Ratio
- Guns in the home are 43 times more likely to kill self, friend, or family than an intruder.

# Unruly Statistics

## Classification of 398 Gunshot Deaths involving a Firearm Kept in the Home

Type of Death	N
Unintentional deaths	12
Criminal homicide	41
Suicide	333
Unknown	3
<b>Total</b>	<b>389</b>
Self-protection homicide	9

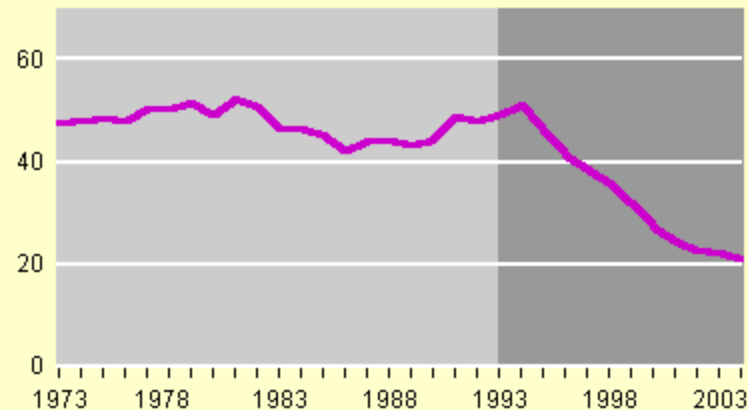
# Unruly Statistics

- $389/9 = 43$
- Deaths occurring in King County, Washington, from 1978 to 1983

# Bureau of Justice Statistics

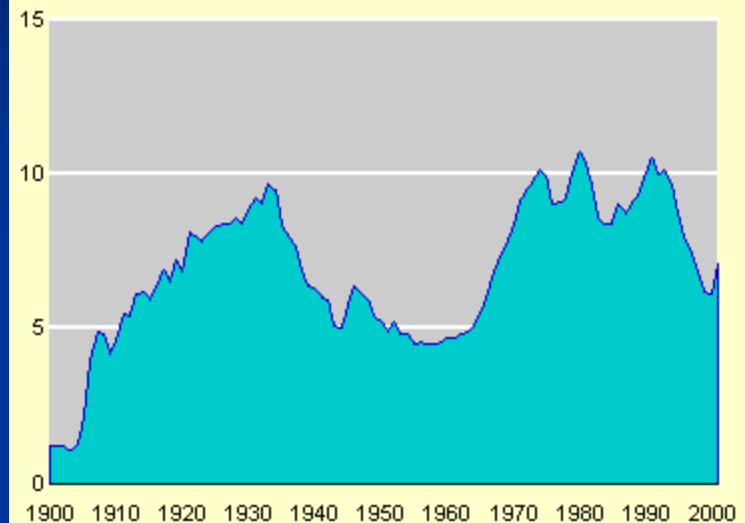
## Violent crime rates

Adjusted victimization rate  
per 1,000 persons age 12 and over



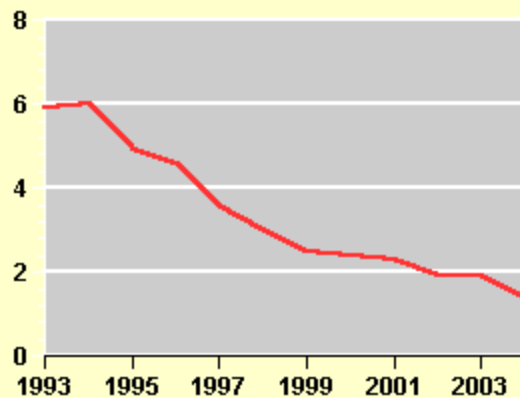
## Homicide rate, 1900-2001

Rate per 100,000 population

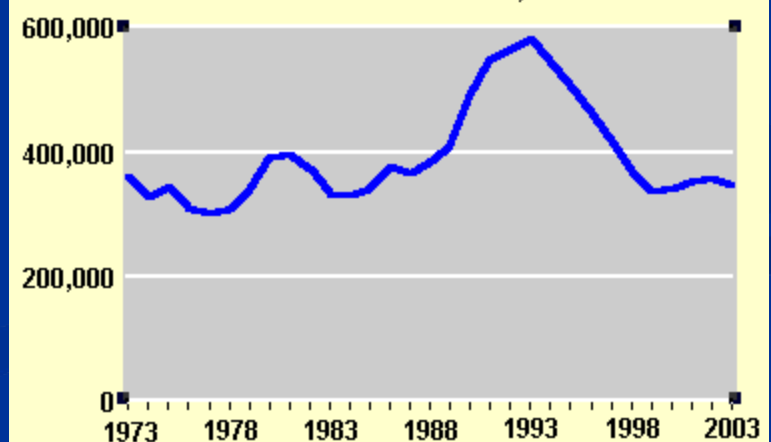


## Nonfatal firearm-related violent victimization rate, 1993-2004

Number of victims per 1,000 persons age 12 and older



## Crimes committed with firearms, 1973-2003



# RKBA

- Framers of the Constitution are no better at predicting technology
- Difficult to regulate artifacts
- Lobbying Groups
  - NRA
  - Brady Campaign
- Minuteman Border Patrol

# 21<sup>st</sup> Century Artifacts

- FN 5.7
- Armor Piercing
- CR Solution
- Ammo
  - SS192 ban
  - SS196 ok





*We Support Gun Control*



It's for your own good