

Synopsis of some current controversies around gun laws and access.

by Jim Hight

Banning “Assault Weapons”

A federal ban on “semi-automatic assault weapons” was in place from 1994 to 2004. Opinions vary as to its effect on gun violence. Sen. Diane Feinstein has proposed a new law that would ban a large number of semi-automatic handguns, rifles and shotguns. Prominent in the list: the AR15 and similar military-style weapons such as those made by Bushmaster and Sig Sauer. Banned under the 1994 law, such rifles re-entered the market in 2004 and the AR15 has since become one of the most popular styles of “modern sporting rifles.”

It has also been used in six of the 10 deadliest mass shootings, including Sandy Hook, San Bernardino, Sutherland Springs and Parkland. Advocates of another ban say that the right to own military-style weapons like the AR15 shouldn’t outweigh the need to protect children and communities from mass shooters.

Many firearms professionals say banning the AR15 and other so-called assault weapons won’t have a tangible effect on gun violence. They say a shooter could use one of many common semi-automatic hunting rifles that shoot larger caliber bullets at the same rate of fire, with magazines capable of holding as many bullets as an AR15 (limited to 10 in California). They are concerned that a new ban on assault weapons, were it shown *not* to prevent mass shootings, would be followed by more laws passed by politicians under pressure to “do something” about mass shootings. In that scenario they fear their rights would be further restricted.

While the Feinstein bill would apply only to future purchases of weapons, California has enacted new rules for the AR15 requiring that owners either modify them (removing or disabling some military-style features) or register them with the state Department of Justice.

Safe storage laws

While the NRA advocates that guns be safely stored with trigger locks, security cases, safes or other means, it opposes what seems like a “common-sense” law to gun control advocates: requiring safe storage, especially in homes where children and mentally ill people live. According to the *Giffords Law Center to Prevent Gun Violence*, 11 states have some version of safe storage laws. Under California’s Criminal Storage of Firearms law, a gun owner who keeps a loaded firearm “within any premises” under his or her control can be charged with a misdemeanor or felony if a child or person prohibited from having a firearm obtains the gun and commits a crime with it.

Local firearms instructors and retailers have expressed concerns about Arcata’s proposed ordinance, claiming that it would make legal firearms owners more vulnerable to home invasions. Some argue that the financial penalties for breaking the law would create an incentive for a gun owner to not report a burglary in which firearms were stolen, possibly leading to more illegal guns on the street.

Can't fly but can buy a gun

To many gun control advocates, the proposal to ban firearms purchases by people on the “no-fly list” of suspected terrorists seems like a “no brainer.” But gun rights supporters oppose it because there is no due process for someone to be placed on the list, so people innocent of any terrorist or criminal intent could be deprived of their Second Amendment rights.

This became a flashpoint after the 2016 mass killing of 49 people at a gay nightclub in Orlando. The accused killer, Omar Mateen, was at one point in the FBI's terrorist screening database. This was conflated to imply that legislation supported by Democrats would have prevented the killing. But *The Atlantic*, *New York Times* and others report that the legislation would have only affected people on the smaller “no-fly” list, which Mateen was never on.

Right to carry reciprocity

The national right to carry reciprocity act is a Republican bill that would allow people with permits to carry concealed weapons (CCW) issued in any state to similarly carry weapons in states and cities that have passed their own stricter CCW laws. This idea alarms police departments in big cities from Houston to New York. For advocates, it's about personal protection and the right to bear arms.

Bump stocks

Bump stocks, like that used by the Las Vegas shooter, allow semi-automatic rifles to be fired at a rate more like an automatic weapon. After that shooting, several Republicans in Congress indicated they would support more restrictions on bump stocks. A poll by *Politico* shows three-quarters of registered gun owners support federal regulation of bump stocks. Earlier this year, President Trump spoke out against bump stocks and the federal ATF initiated a review of whether bump stocks should be further regulated. While the review is even supported by the NRA, gun rights advocates are deluging ATF with comments opposing further regulation of bump stocks.