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WHERE'S VOLUME 8?

Due to various reasons, our Chapter did not publish any Mom Says Newsletters in 2010.

WHAT PRICE HATE SPEECH?

The past couple of years has seen a plethora of talk about government killing grandma, taking your guns away and regulating the food you eat, combined with talk of 'targets', 'crosshairs', 'reloading' and 'Second Amendment remedies'.

According to a mental health counselor I talked to, a mentally unstable person can be influenced by volatile, highly emotional hate speech.

The night before the shooting, Rep. Giffords reached out to Kentucky Secretary of State Trey Grayson (R), asking his help in toning down the partisan rhetoric in the country.

It's not un-American for us to disagree on policy. We need discussion not demonization. We are better than that.

For Brady Campaign statement on heated rhetoric go to:
blog.bradycampaign.org/?p=3088

January 8 – 20 Shot, 6 Dead @ Safeway

Statement from Paul Helmke, Brady Campaign President on the attempted assassination of Rep. Giffords, AZ-D by a self-professed terrorist at a meet and greet at a local Safeway in Tucson on January 8.

"Our hearts and prayers go out to all of the people, including Congresswoman Gabrielle Giffords, touched directly by the shootings in Tucson Saturday.

The Congresswoman and I have met and discussed gun issues in the past. All of us are deeply saddened and angered by this tragedy. It is unacceptable that Americans of all backgrounds, as well as our elected leaders and their constituents, are constantly at risk from gun violence when assembling in public places."

Question of the Day

Could reasonable gun laws have prevented this horrendous tragedy? (Updated from April, 2007)

Arizona is one of only three states that allow residents to carry loaded, hidden guns without background checks. Arizona recently weakened its laws to take guns into bars. This individual would have passed a back-ground check because he had not been ordered by a court into mental health treatment or been committed to any mental institution, as per current federal law.

If Arizona had a process like Colorado's, the shooter would have passed both National and Colorado background checks. However, the sheriff would have been able to look at the shooter's police contacts and deny him a concealed carry permit.

What we need to address is how the shooter was not allowed to enlist in the military, was asked to leave school, and was considered "very disturbed" (according to former classmates and neighbors), and still was able to legally buy guns.

Federal background checks (NICS) will only look to **court-ordered** treatment for mental disorders to deny purchase.

In 2008, President Bush signed legislation to strengthen background checks aimed at preventing the severely mentally ill from buying guns, a bill backed by both parties after the bloody Virginia Tech University shooting.

The law authorizes as much as \$1.3 billion in grant money for states to improve their ability to track and report individuals who should not qualify to buy a gun legally, including those involuntarily confined by a mental institution. Much of the money, to be spent over five years, would be used to increase state feeds to a national system used to run background checks on gun purchases. Opponents made it difficult to initially fund this legislation.

Federal law also prohibits individuals who were hospitalized for mental treatment from purchasing firearms. However, states don't upload mental health information for national background checks because of privacy laws, the expense, available data is not electronic and/or uploading is not a priority within the state. Twelve states have passed legislation to upload more records and six states have taken funding from the NICS Improvement Act of 2008 to help them so.

Sadly, no one who knew the shooter took action under Arizona law to petition the court for a psychiatric evaluation solely because a person appears to be mentally ill and doesn't know it.

Also, federal law does not address chronic mental health conditions where the individual is likely to be a harm to himself and others such as schizophrenia. **A dialogue is needed.**

Question of the Day, continued

Prior to 2004, NICS records were kept for 90 days to allow FBI review. Also, a sale had to be finalized within a 3-day period regardless of whether the background check was complete. Afterward, if the FBI received information from a state or local law enforcement agency, a court, or other source showing that the purchaser should have been prohibited from possessing a firearm, they would then initiate firearm retrieval actions.

In 2001, Atty. General Ashcroft proposed that those records be destroyed after 24 hours. A 2002 GAO report recommended keeping records for 90 days. It revealed that in the six-month period of the study, the FBI used retained records to initiate 235 firearm retrieval actions. 97 percent of those could not have been initiated under the proposed next day destruction policy. But Ashcroft implemented the policy change, which was later passed into law by Congress and went into effect on July 21, 2004. **The 90-day review should be reinstalled.**

The Assault Weapons Ban, which expired in 2004, contained a ban on the manufacture and importation of large-capacity clips. Prior to passage, the AWB was weakened to allow the sale of existing large-capacity clips. The gun industry over-manufactured and stockpiled large-capacity clips so they would be available for the 10+ years the AWB was enforced. A smaller clip would have meant the shooter would have to stop and reload more frequently giving others a chance to overcome him and giving intended victims the time to get away.

Sen. Frank Lautenberg NJ-D is planning to introduce a bill in the Senate that would limit the availability the type of ammunition holder that was used by the shooter and will be similar to the legislation pushed in the House by Rep. Carolyn McCarthy NY-D which narrows the accessibility of high-capacity clips, allowing gunmen to get off as many as 33 shots without having to reload. **Pass this legislation.**

But what about the illegal market?

Most people believe that guns used in crime are stolen from homes and enter the illegal market. This is incorrect. Criminals like a gun without history.

During the Clinton administration, the ATF released gun-trace data. Analysis of this data proved that most crime guns come from licensed gun dealers. In fact, only 1.2 percent of dealers account for nearly 60 percent of all crime guns in 2000. "Virtually Every crime gun in the United States starts off as a legal firearm," the ATF's director wrote that year. "Unlike narcotics or other contraband, the criminals' supply of guns does not begin in clandestine factories or with illegal smuggling." These illegal guns end up in the hands of criminals and youth who use them to injure, maim and kill Americans at an alarming rate.

The ATF's oversight of the gun industry and enforcement power has been cut by Congress. The ATF doesn't have the manpower to monitor gun-dealer compliance. This results in less than 5 percent of dealers being inspected every year and little has been done to prosecute dealer dealers who engage in illegal gun trafficking. It takes years and is virtually impossible for the ATF to shutdown a corrupt dealer. **ATF's funding and oversight should be restored.**

Where's Your Head At?

On 'Fox News Sunday' (1/9/2010), Senator Rand Paul (R-KY) condemned the act of violence and offered his prayers and thoughts for the shooting victims but said the shooting was an outlier that does not necessarily reflect systemic regulatory problems. "It's probably about a very sick individual and what should have been done for that person," he said. "But the weapons don't kill people. It's the individual that killed these people."

But shootings like these are far from uncommon....Jonesboro, Columbine, Virginia Tech, Omaha and Salt Lake City malls, Ft. Hood and the Amish school shootings to name a few. Therefore, the definition of an outlier as observation that lies outside the overall pattern of a distribution (Moore and McCabe 1999) is an incorrect argument by Senator Paul.

Faulty positions like those presented by Senator Paul prevent us from having an honest and open conversation on how to keep firearms from the hands of individuals who seek to harm us.

Déjà Vu

In response to the VA Tech shooting in April, 2007, we asked the following in our newsletter.

"Our society does not address nor adequately assists people with mental health problems. Budgets have been cut both at the state and federal level. (*Arizona cut its budget for mental health services by \$36 million in 2010. Colorado has made cuts, too.*) Medical health insurance provides very little counseling and depends mainly on medication. Medication is not enough.

With a mental health care crisis; the inability of the community, institutions and law enforcement to recognize warning signs; and easy access to firearms, we'll see the likes of Columbine, Bailey and Virginia Tech again and again. So what do we do?

Why don't we begin an open and honest dialogue on prevention because it's just too costly to continue to do nothing?"