

BUSINESS INSIDER

A ban on assault weapons is a lot more complicated than it seems

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March 4, 2018

Students and parents fed up with gun violence in schools across the US have been calling on Congress to enact a range of gun control measures that they say will help prevent future mass shootings. Central to their demands is a ban on assault weapons.

But how such a proposal would actually work — and which types of gun would be included in the ban — isn't entirely clear.

In a televised meeting on gun control with lawmakers at the White House on Tuesday, President Donald Trump shocked Republicans and Democrats when he suggested that a comprehensive bill addressing gun violence should include a ban on assault weapons.

Last year, Democratic Sen. Dianne Feinstein introduced the Assault Weapons Ban of 2017, which would outlaw the "sale manufacture, transfer and importation of 205 military-style assault weapons by name." Feinstein said more than 2,200 other types of gun would remain legal.

Trump's apparent endorsement of aspects of a ban on assault weapons is a stunning reversal for a Republican president. Feinstein even cracked a smile and appeared to be gleeful about the suggestion.

While it puts him at odds with the National Rifle Association, a powerful gun rights lobbying organization that supported Trump's presidential candidacy, it also pits him against fellow Republicans, who have long opposed restrictions on buying firearms.

During a CNN town-hall event featuring students who survived last month's mass shooting at Marjory Stoneman Douglas High School in Florida, Republican Sen. Marco Rubio explained why he didn't think Feinstein's bill would not save lives.

"If I believed that that law would have prevented [the Florida massacre] from happening, I would support it," Sen. Marco Rubio said in response to a question from Fred Guttenberg, whose daughter Jaime was killed in the Florida shooting.

The problem with Feinstein's bill, Rubio added, is that while it would ban more than 200 specific models of guns, thousands of others that are "identical in the way that they function, in how fast they fire, in the type of caliber that they fire, [and] in the way they perform" would still be legal.

Rubio's suggestion was clear: A ban on assault weapons, without an explicit definition of what an assault weapon actually is, would inevitably infringe on Second Amendment rights.

Legislators should instead "make sure that dangerous criminals — people that are deranged — cannot buy any gun of any kind," Rubio said. "That's what I believe a better answer will be."

A lesson from the past

Feinstein's latest proposal to ban assault weapons isn't the first time the longtime senator from California has pushed for limits on which guns Americans can buy.

As the mayor of San Francisco in the 1980s, she supported a ban on handguns in the city.

Then as a US senator in 1994, she authored the Federal Assault Weapons Ban (AWB), which outlawed nine specific types of gun, including pistols, rifles, and shotguns.

The ban also prohibited large capacity magazines, which made it illegal for guns to hold more than 10 rounds of ammunition.

But in 2004, the AWB, which was passed into law with a 10-year sunset provision, expired.

That same year, researchers at the University of Pennsylvania submitted their assessment of the ban's effectiveness to Congress and predicted what would happen if it were extended.

"Should it be renewed, the ban's effects on gun violence are likely to be small at best and perhaps too small for reliable measurement," said the report, which the Department of Justice commissioned.

After all, handguns are used in a majority of gun murders in the US. In 2016, handguns were used more often in gun murders than all the shotguns, rifles, and other firearms combined, according to statistics from the FBI.

Adam Winkler, a professor at the UCLA School of Law and author of a book on gun violence in America, wrote in a 2015 Los Angeles Times op-ed that assault weapons bans are "largely ineffectual" because "it is hard for legislators to effectively regulate [guns] without banning half the handguns in the country."

Assault weapons bans usually target military-style rifles and certain semi-automatic firearms, but by that definition, many revolvers, shotguns, and hunting rifles would be off-limits as well.

An assault weapon "is a fake term exploited by the gun prohibition lobbies," David Kopel, a policy analyst at the Cato Institute and adjunct professor at the University of Denver College of Law, told Business Insider.

"The guns that [gun control advocates] call assault weapons don't fire any faster than guns they say are not assault weapons," he said. "They don't fire more powerful ammunition."

But this nuance has done little to convince many Democrats that an assault weapons ban wouldn't work. Feinstein, for example, has argued that the 1994 AWB expired too soon and would have eventually proven to reduce gun crime if the ban was renewed.

As for her newest proposal, she admits that while it won't stop every mass shooting, "it will begin removing these weapons of war from our streets."

"Yes, it will be a long process to reduce the massive supply of these assault weapons in our country," she added, "but we've got to start somewhere."