

Guns: Rights and Responsibilities



Jim Kessler
Senior Vice President for Policy
[@ThirdWayKessler](#)



Lanae Erickson Hatalsky
Vice President for the Social Policy & Politics Program
[@LanaeErickson](#)



Sarah Trumble
Former Deputy Director, Social Policy & Politics

Takeaways

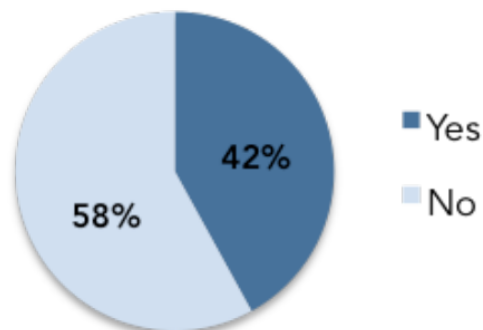
Suggested message: The Second Amendment protects an individual right to own a firearm, but this right doesn't extend to terrorists and criminals.

Opponents of reasonable gun regulations believe that terrorists and criminals should have the same right to a gun as law-abiding citizens.

If there is one lesson about guns, it is this: expect the unexpected. The gun issue crops up when unpredictable and catastrophic events occur—the Columbine massacre, the shooting of Congresswoman Gabby Giffords, or the movie theater tragedy in Aurora, Colorado. After a devastating gun event, it is not unusual for the gun debate to be ignited based on a particular loophole in the law that was exploited. For Columbine it was the gun show loophole; for the Gabby Giffords shooting it was the assault weapons ban; and for the Aurora tragedy it was high-capacity ammunition magazines.

For supporters of reasonable gun safety restrictions, we recommend a *rights and responsibilities* message.

“Anyone in household own a gun?”



Why It Works

- **Americans believe the Second Amendment confers an individual right.** Even before the Supreme Court's *Heller* decision, the Second Amendment question was settled among the American people. In Presidential election polls over the past several cycles, anywhere between 41% and 49% of voting households had a firearm in the home. Today, there are about 270 million guns in private hands, and most people who own guns own them for self-protection. In our polling from 2003, only 8% believed that the Second Amendment did not confer an individual right to own a firearm.¹
- **However, they overwhelmingly believe that the right allows for restrictions.** Only 14% of Americans are Second Amendment absolutists—believing that the right allows for no restrictions on firearms sales and possession. Seventy-four percent believe that the Second Amendment allows for reasonable restrictions intended to keep guns out of the hands of children, criminals, and terrorists. In our polling of individual states, this large group in the middle held constant in rural states like South Dakota and Maine, as well as more urban states like Pennsylvania.
- **Gun safety, not gun control.** Over the years, gun control has become a pejorative among gun owners. To them, it means bans and heavy restrictions. For instance, by a 77-13% margin, gun owners prefer a policymaker who supports “gun safety” over one who supports “gun control.”

Policy Recommendations

- Requiring criminal background checks at gun shows (closing the gun show loophole).
- Improving the instant background check system so gun purchase background checks are instant and accurate.

- Enforcing the current gun laws on the books so that illegal gun traffickers and straw purchasers go to jail instead of operate in our neighborhoods.

Critique and Response

Critique

Gun control advocates want to confiscate all Americans' guns.

Response

The Supreme Court settled the question about whether the Second Amendment is an individual right. It is, case closed. But the Supreme Court also said that this right doesn't extend to terrorists, criminals, and people in the country illegally. Americans support laws that protect our rights and go after those who don't have them.

TOPICS

GUNS 81

END NOTES

1. Polling data comes from surveys taken by Penn and Schoen for Americans for Gun Safety in 2003. Americans for Gun Safety is the precursor organization of Third Way.