

Affirmation

My partner and I stand in firm affirmation of the resolution: **RESOLVED: The United States should require universal background checks for all gun sales and transfers of ownership.**

We bring forth the following definitions for clarity in this debate. The Oxford Dictionary defines Universal as “of, affecting, or done by all people or things in the world or in a particular group” Black’s Law Dictionary defines Background Check as “Reviewing a party’s confidential and public information to investigate their history.” Universal Background Checks will be referred to as UBCs for clarity in this debate.

Contention One: UBCs Will Save Lives

The current federal law is insufficient when it comes to UBCs

Williamson 2016

Federal law requires licensed gun dealers – that is, those whose primary business is firearms – **to run checks on all gun sales. This only accounts for 60% of transactions. The remaining 40% require no check at all – private sales between individuals at gun shows or [Other Places] wherever. That 40% represents 6.7 million guns sold in 2012.**

Criminals overwhelmingly acquire their guns by exploiting that loophole

Vittes & Webster, 2012

Katherine A. xx-xx-xxxx, "Legal status and source of offenders' firearms in states with the least stringent criteria for gun ownership," ResearchGate, https://www.researchgate.net/publication/228063188_Legal_status_and_source_of_offenders%27_firearms_in_states_with_the_least_stringent_criteria_for_gun_ownership

Offenders who were already prohibited under current law acquired their gun from a licensed dealer, **where a background check is required, five times less often than offenders who were not prohibited** (3.9% vs. 19.9%; C2 ¼13.31; p#0.001). **Nearly all (96.1%) offenders who were legally prohibited, acquired their gun from a supplier not required to conduct a background check**

State with Universal Background Checks see lower suicide rates, and the proportion of suicides committed with a firearms precipitously declines.

Michael D. **Anestis**, PhD, and Joye C. Anestis, PhD, "Suicide Rates and State Laws Regulating Access and Exposure to Handguns," American Journal of Public Health, October **2015** Vol 105, No. 10. Summary available at: <https://www.ncbi.nlm.nih.gov/pubmed/26270305>

Universal background checks. Our results indicated that **states with a law in place that required universal background checks at the point of transfer or before obtaining a permit to purchase a handgun from a private seller exhibited a lower overall suicide rate** (11.42 vs 16.49; F = 29.49; P < .001; R2 = 0.38; pg2 = 0.38), **a lower firearms**

suicide rate (4.53 vs 9.74; $F = 49.41$; $P < .001$; $R^2 = 0.50$; $pg2 = 0.50$), and a lower proportion of suicide deaths resulting from firearms (36.8% vs 58.8%; $F = 44.13$; $P < .001$; $R^2 = 0.47$; $pg2 = 0.47$). Our results were unchanged after accounting for the effects of poverty, population density, age, education, and race/ethnicity, because states with such laws in place exhibited lower overall suicide rates (12.45 vs 15.97; $F = 10.16$; $P = .003$; $R^2 = 0.51$; $pg2 = 0.19$), lower firearm suicide rates (5.90 vs 9.05; $F = 15.14$; $P < .001$; $R^2 = 0.67$; $pg2 = 0.26$), and a lower proportion of suicides by firearms (44.9% vs 54.8%; $F = 11.58$; $P = .001$; $R^2 = 0.77$; $pg2 = 0.21$). These results are listed in Tables 2 and 3.

The impact here is lives saved. By eliminating the gun show loophole, which is regularly abused, fewer dangerous people will be permitted to access weapons.

Contention Two: Background Checks Will Stop Gun Trafficking

There Is No Federal Law Against Gun Trafficking

Brian **Schatz** “Amazingly, There Is No Federal Law Against Gun Trafficking” Mother Jones. 10/13/16.

<http://www.motherjones.com/politics/2016/10/gun-traffickinglaw-maloney-kenneth-thompson/>

“According to the ATF, 50,000 firearms are illegally trafficked across state lines every year. Yet the closest thing to a federal anti-gun trafficking law is a prohibition on ‘straw purchasing’—when someone buys guns for people who legally can not. But that offense is usually prosecuted as a minor paperwork violation and rarely results in prison time, even if the purchaser was part of a larger gun running ring. The penalties for straw purchasers ‘are very, very low,’ says Lindsay Nichols, a senior attorney at the Law Center to Prevent Gun Violence. Convicted buyers get ‘maybe one year of probation, maybe: some community service.’ Gunrunners who face serious time will often get sent away on related charges, such as drug or financial offenses, which carry stiff penalties.”

Trafficked Weapons Are Used To Commit Crimes

Brian **Schatz** “Amazingly, There Is No Federal Law Against Gun Trafficking” Mother Jones. 10/13/16.

<http://www.motherjones.com/politics/2016/10/gun-traffickinglaw-maloney-kenneth-thompson/>

“‘Gun traffickers know what’s going on,’ Brooklyn District Attorney Kenneth Thompson recently told me. Thompson made going after gunrunners a personal crusade during his time as DA, taking more than 550 illegal guns off the streets between 2014 and his untimely death from cancer late last week. ‘They can make a substantial amount of money trafficking in these weapons, and the penalties are not that severe,’ Thompson said. ‘They get people who have clean records to buy these guns and give them to these gun traffickers, knowing that they’ll be used to commit crimes. Gun violence and gun trafficking go hand in hand.’”

UBCs Make Unlicensed Sales Prosecutable

Jim **Kessler** et al “Would Universal Background Checks Make A Difference?” Third Way. 1/20/13. <http://www.thirdway.org/memo/would-universal-backgroundchecks-make-a-difference>

“A universal background check law would make the sale of a firearm from an unlicensed individual to a criminal illegal and prosecutable. This alone would have a huge impact on ‘gun trafficking’—which is a term of art but not currently an actual federal crime. It would help dry up the shadow market by requiring background

checks for those who seek to stockpile firearms (perhaps purchased through gun shows, the internet, newspaper want ads, and elsewhere) for the purposes of selling to criminals and minors."

By implementing background checks and preventing dangerous people from owning guns we are facilitating the physical safety of our citizens.

CONTENTION THREE: Gun Owners Support Background Checks

An overwhelming majority of gun owners support UBCs

Hannah **Fingerhut** "5 facts about guns in the United States" Pew Research Center. 01/05/16. <<http://www.pewresearch.org/fact-tank/2016/01/05/5-facts-about-guns-in-the-united-states/>>

"Americans have shown broad and consistent support for expanded background checks for gun purchasers. In July, 85% of the public – including large majorities of both Republicans (79%) and Democrats (88%) – favored making private gun sales and sales at gun shows subject to background checks. There also was substantial bipartisan support for laws to prevent people with mental illness from purchasing guns."

The NRA Is Out Of Touch On This Issue

Beton **Strong** "RELEASE: Gun Owners Overwhelmingly Support Background Checks, See NRA as Out of Touch, New Poll Finds" Center for American Progress. 11/17/15.

"The NRA is out of touch with gun owners on gun safety issues such as background checks: **Only 29 percent of gun owners feel that the NRA represents their thinking when it comes to background checks, with 62 percent saying the NRA is out of line with them on the issue.** That fits in with a broader feeling that the NRA has lost its way: 59 percent of gun owners feel that the NRA used to be an organization devoted to gun safety but that it has been overtaken by lobbyists and the interests of gun manufacturers and lost its original purpose and mission. Nearly one-third of NRA members believe the organization has lost its way. 'The big picture from this survey is clear: **Gun owners overwhelmingly support background checks,**' said Tom Jensen, director of Public Policy Polling. **'And that includes gun owners who are Republicans and gun owners who are NRA members.** Gun owners want politicians to take action on these issues, and if anything, they will reward them for it. Gun owners also send a clear message that the NRA has lost its way and does not represent them on this issue.'"

The United States was founded on democratic principles, and in order to uphold those principles, we must implement the needs of our people.

The Pro advocacy is clear. UBCs save lives by keeping guns out of the hands of those who will misuse them. While UBCs aren't perfect, we have an obligation to take this step which will save thousands of lives. It's "try or die". Even if there is a 1% percent risk of solvency, we must affirm.

Thank you, and vote pro.

Author Credentials

Tom McCarthy joined the Guardian US in 2012. He was previously the news writer on ABC News's Nightline. He has worked at the Daily Star (Beirut) and the Omaha World-Herald. You can email him at: tom.mccarthy@theguardian.com

Lois Beckett is a senior reporter covering gun policy, criminal justice and the conservative movement in the United States.

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The Law Center to Prevent Gun Violence has more than two decades of experience advocating for the smart gun laws that will reduce the toll of gun violence on our nation.

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Brigitte Osterath is a science writer & editor for print and online media as well as for radio stations, mainly reporting on the fields of chemistry, health and environment. Among others, I work for Deutsche Welle, WDR5 and the magazine "Nachrichten aus der Chemie" of the German Chemical Society.

Blocks

A2: Criminals won't obey any background check laws.

Flawed logic

Daniel Webster, Johns Hopkins Center for Gun Policy and Research, April 3, 2013

The logic of this argument is flawed. It could be used to dismiss the utility of virtually any law because criminals will disobey it. The illogical exemption of private gun sales from background checks is the very reason that criminals don't currently have to obey existing background check laws. State laws prohibiting high-risk groups — perpetrators of domestic violence, violent misdemeanants and the severely mentally ill — from possessing firearms have been shown to reduce violence. One of my studies found that a number of state laws prohibiting individuals under a domestic violence restraining order from owning guns produced an overall 19 percent reduction in intimate partner homicides. Meanwhile, my research has shown that state universal background checks — along with other state laws designed to increase gun seller and purchaser accountability — significantly reduce the number of guns diverted to the illegal market, where the above high risk groups often get their guns. At the same time, the success of these state gun laws in reducing the diversion of guns to criminals is undermined by gaps in federal laws which facilitate interstate gun trafficking from states with the weakest gun laws to those with the strongest gun laws. For example, we found that states without universal background check laws had 30 percent higher levels of exporting across state lines guns that were later recovered from criminals.

A2: No proof that guns used in violent crimes obtained through loophole

Daniel Webster, Johns Hopkins Center for Gun Policy and Research, April 3, 2013

Yes. My research has shown that failure to require background checks for firearms sales by private gun owners is associated with significantly higher levels of guns diverted to criminals both in-state and out of state. See the research cited above on state universal background check laws, diversion to the illegal market, and trafficking.

A2: Already illegal for a gun trafficker to buy guns at a gun show and then resell them

Daniel Webster, Johns Hopkins Center for Gun Policy and Research, April 3, 2013

It is illegal for a gun trafficker to purchase guns from a private seller in a state that does not regulate such sales and sell them in another state. However, because private gun sellers have no obligation to assure that purchasers have passed a background check or to maintain records of the sale of their firearms, it would be incredibly hard to prosecute that trafficker for a gun later used in a crime, because there's no evidence he transferred the gun to the

criminal. so the trafficker can break existing law with something close to impunity. Expanding background checks would force the trafficker to prove he'd performed the check or be prosecuted — a much stronger disincentive to lawbreaking.

A2: Criminals will find another loophole

Daniel Webster, Johns Hopkins Center for Gun Policy and Research, April 3, 2013

Quite often not. Certainly some will find ways to get guns even with background checks. **But** the studies cited above show that state **universal background checks, and state laws that prohibit criminals and other high risk groups from purchasing guns, reduce gun availability of guns to high risk groups.** **This question also implies that criminals can always find a gun, no matter what we do, which is also inconsistent with the facts.**

Although a gun is an excellent tool to use if you are a robber for increasing compliance of victims, **only 29 percent of robberies reported in the National Crime Victimization Survey involved the robber's use of a firearm.** [8] **Data from in an in-depth study of the underground gun market in Chicago found that only twenty percent of male arrestees who participated in an anonymous survey reported that they had owned a handgun. Sixty percent of those who did own one reported that it had taken them more than a week to search for and obtain a handgun. Criminals were wary of purchasing firearms from sellers they did not know or trust, often reported difficulty finding a trusted supplier of guns, and faced considerable mark-ups in price from the legal market.** [9]