

Special Article

SUPPORT FOR NEW POLICIES TO REGULATE FIREARMS

Results of Two National Surveys

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ABSTRACT

Background New policy options are emerging in the debate regarding the regulation of firearms in the United States. These options include the treatment of firearms as consumer products, the design of which can be regulated for safety; denial of gun ownership to those convicted of misdemeanors; and strategies to curtail the illegal sale of guns. The public's opinion of these innovative gun-policy options has not been thoroughly assessed.

Methods We conducted two telephone surveys of 1200 adults each in the United States in 1996 and 1997–1998. Cognitive interviews and pretests were used in the development of the survey instruments. Potential participants were then contacted by random-digit dialing of telephone numbers.

Results A majority of the respondents favored safety standards for new handguns. These standards included childproofing (favored by 88 percent of respondents), personalization (devices that permit firing only by an authorized person; 71 percent), magazine safeties (devices that prevent firing after the magazine or clip is removed; 82 percent), and loaded-chamber indicators (devices that show whether the handgun is loaded; 73 percent). There was strong support for policies prohibiting persons convicted of specific misdemeanors from purchasing a firearm. Support for such prohibitions was strongest for crimes involving violence or the illegal use of a firearm (83 to 95 percent) or substance abuse (71 to 92 percent). There was also widespread support for policies designed to reduce the illegal sale of guns, such as mandatory tamper-resistant serial numbers (90 percent), a limit of one handgun purchase per customer per month (81 percent), and mandatory registration of handguns (82 percent). Even among the subgroup of respondents who were gun owners, a majority were in favor of stricter gun regulations with regard to 20 of the 22 proposals covered in the poll.

Conclusions Strong public support, even among gun owners, for innovative strategies to regulate firearms suggests that these proposals warrant serious consideration by policy makers. (N Engl J Med 1998; 339:813-8.)

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THE debate over firearm policies in the United States has developed a well-established rhetoric in the past few decades; some might even argue that it has reached a stalemate. Issues of debate include the Second Amendment to the U.S. Constitution and whether it confers an individual right to bear arms¹⁻³; the risks and benefits of handgun possession⁴⁻⁶; the frequency of the defensive use of guns⁷⁻⁹; and the relative effectiveness of gun policies.^{10,11} Recently, however, several policies that circumvent the most troublesome and contentious issues of the debate have been proposed. These policies would regulate guns as consumer products,¹² extend existing laws proscribing gun purchase by dangerous persons,¹³ and offer new ways to curtail illegal gun transfers.¹⁴

The public's opinion regarding these new policy options has not been thoroughly assessed.¹⁵ To do so, we designed and conducted two telephone surveys that focused on innovative gun-related policies. This article reports the public's response in both surveys.

METHODS

Two survey instruments, the first consisting of 85 questions and the second of 105 questions, each requiring a telephone interview of approximately 20 minutes, were developed. The first survey was administered from September through November 1996, and the second survey was administered from November 1997 through January 1998. Because several areas of inquiry in each survey dealt with topics unfamiliar to the general public, attention was paid to careful wording of the questions. Extensive cognitive interviews of 20 preliminary subjects were performed before the first survey to test whether certain questions and the respondents' answers to those questions were fully understood.

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The wording of questions was then amended as needed to ensure future subjects' understanding of the questions. For some questions, a policy or its rationale required explanation, and care was taken to include different perspectives that proponents and opponents of the policy might have. Both surveys were finally pretested in pilot telephone interviews.

For most of the policies discussed in this article, respondents were asked whether they would "strongly favor, favor, neither favor nor oppose, oppose, or strongly oppose" the policy. In reporting the results, we have combined the "strongly favor" and "favor" categories.

Participating households were identified by random-digit-dial procedures for U.S. telephone numbers. The adult household member with the most recent birthday was identified and asked to participate. Efforts were made to increase the response rate and to encourage participation. Specially trained interviewers called back the people who initially refused to participate and offered small financial incentives (\$15 or less) for participation. In both surveys, 37 percent of those who initially refused were persuaded by this technique.

The total number of respondents in each survey was 1200. Table 1 lists their demographic characteristics. The response rates

TABLE 1. DEMOGRAPHIC CHARACTERISTICS OF THE SURVEY RESPONDENTS.*

CHARACTERISTIC	1996 SURVEY	1997-1998
	(N=1200)	SURVEY (N=1200)
	percent	
Sex		
Male	48.0	48.1
Female	52.0	51.9
Age		
18-24 yr	11.2	7.3
25-34 yr	21.4	20.3
35-44 yr	22.1	24.6
45-54 yr	18.0	18.1
55-64 yr	10.4	12.3
≥65 yr	15.2	13.9
Refused to answer	1.8	3.6
Race		
White	83.5	83.3
Black	11.4	11.6
Asian or Pacific Islander	0.8	0.6
Native American	0.7	0.9
Other	2.7	3.1
Refused to answer	1.0	0.4
Education		
High-school diploma or less	37.5	40.9
Some education after high school	40.9	36.6
College degree	12.3	12.8
Some graduate school or graduate degree	9.2	8.6
Refused to answer	0.2	1.0
Income		
<\$40,000	42.8	47.8
≥\$40,000	44.2	39.4
Refused to answer	13.2	12.8
Marital status		
Married	55.9	59.2
Divorced, widowed, or separated	19.5	19.2
Never married	23.1	20.4
Refused to answer	1.6	1.1
Personal gun ownership		
Owned any gun	29.7	28.2
Owned a handgun	18.5	18.8
Did not own any gun	66.8	69.7
Refused to answer	3.6	2.2

*Percentages are weighted in each survey. Because of rounding, not all percentages total 100.

were calculated as the percentage of eligible households for which an interview was completed. In the first survey the overall response rate was 60 percent, and in the second survey it was 61 percent, rates that are well above average for random-number telephone surveys. The survey results were weighted according to age, sex, race, level of education, and region of residence so that the sample would be representative of the national population with regard to those attributes. Copies of the survey instruments, details of the results, and a technical description of survey methods¹⁶ are available elsewhere.*

Many of the questions that were used in the first survey were also used in the second survey. In this article, we report the most recent response to a question: if the question was asked on only one survey, we report that response, but if it was asked on both surveys, we report the response from the second survey. All reported survey results have a sampling error of ±3 percent. Approval from the institutional review boards of the Johns Hopkins School of Public Health and the University of Chicago (for the National Opinion Research Center) was obtained for each survey.

RESULTS

Regulating Guns as Consumer Products

Although guns manufactured in the United States are for the most part not regulated by federal safety standards,¹⁷ 50 percent of the people polled thought that all or some guns were regulated for safety (Table 2). Sixty-eight percent of those polled favored "government safety regulations for the design of guns." Among those who personally own a gun (28 percent of respondents), 64 percent favored design-safety regulations.

When respondents were told that handguns imported into the United States must meet federal safety and quality standards and then were asked whether they thought "that handguns made in the United States should or should not have to meet the same standards," 94 percent of all respondents said they should meet those standards.

Requiring childproofing is one option for regulating

*See NAPS document no. 05474 for 200 pages of supplementary material. Order from NAPS, c/o Microfiche Publications, 248 Hempstead Turnpike, West Hempstead, NY 11552.

TABLE 2. SUPPORT AMONG RESPONDENTS FOR THE REGULATION OF GUNS AS CONSUMER PRODUCTS.*

POLICY OPTION	PERCENT WHO FAVORED OR STRONGLY FAVORED THE POLICY	
	ALL RESPONDENTS	RESPONDENTS WHO OWNED GUNS
	(N=1200)	(N=338)
Governmental regulation of gun design	68	64
Same standards for domestic guns as for imported guns	94	93
Childproofing of all new handguns	88	80
Personalization of all new handguns	71	59
Magazine safety for all new pistols	82	75
Loaded-chamber indicator for all new handguns	73	60

*All results shown are from the 1997-1998 survey.

the safe design of handguns. The survey asked the following question: "Handguns can be made so that they cannot be fired by a young child's small hands. How strongly would you favor or oppose legislation requiring all new handguns sold in the U.S. to be childproof?" Eighty-eight percent of those surveyed favored legislation requiring childproofing (67 percent of respondents strongly favored it). Among gun owners, 80 percent favored legislation for childproofing.

Another approach to designing safety into handguns is personalization, allowing operation of the gun by an authorized user only. We asked the following question:

Engineers are now designing handguns equipped with devices which can recognize the owner of a gun and not fire for anyone else. For example, these personalized guns may have a mechanism that prevents the gun from firing unless it comes into contact with a special ring that the shooter must wear. The technology is intended to protect a gun owner if an attacker tries to take his gun away and to make the gun less useful to criminals if it is stolen. Personalized guns are also designed to reduce the risk of a child or teenager shooting themselves or someone else. But personalized guns will cost more than other guns, and the chances that the gun will not fire when you want it to may be increased slightly. If a new law were to require all new handguns to be personalized, how strongly would you favor or oppose it?

Overall, 71 percent of those surveyed favored a law requiring personalization, and among gun owners, 59 percent favored such a law.

Guns also can be designed with magazine safeties to prevent unintentional firing. Respondents were asked the following question:

After an ammunition clip or magazine is removed from a pistol, one bullet may remain in the handgun which can still be fired. A magazine safety is a device in some pistols that prevents that bullet from being fired after the magazine or clip is removed. People favoring magazine safeties see them as a way to prevent accidental deaths; others find these devices expensive and unreliable. How strongly would you favor or oppose legislation requiring that new pistols come equipped with a magazine safety?

Eighty-two percent favored mandating magazine safeties in new pistols. In a question about load indicators, described as "a device in some handguns that shows if the handgun contains ammunition," 73 percent favored a law requiring that all new handguns be equipped with a load indicator. Both of these measures were also supported by a majority of gun owners (75 percent for magazine safeties and 60 percent for load indicators).

Denying Gun Ownership to Persons Convicted of Misdemeanors

A series of survey questions was preceded by the following statement:

Now I would like to read you a list of crimes. In most states, persons who have been convicted of these crimes

can legally purchase handguns. In each case, tell me if you think persons who have been convicted of the crime should or should not be able to purchase handguns.

(In the survey conducted in 1996, the word "firearms" was used instead of "handguns.") The crimes ranged from violent misdemeanors (e.g., assault and battery) to nonviolent misdemeanors that are generally considered less serious (e.g., shoplifting and indecent exposure). A majority of respondents would deny gun ownership to those convicted of any of the misdemeanors mentioned in the surveys; most gun owners agreed. Table 3 lists the crimes and the percentages of respondents who answered that the perpetrators should not be able to purchase firearms.

Reducing the Illegal Sale of Guns

A majority of respondents wanted to prevent criminals from obtaining guns. Seventy percent of all those polled, and 52 percent of gun owners, wanted the government to "do everything it can to keep handguns out of the hands of criminals even if it means that it will be harder for law-abiding citizens to purchase handguns."

We asked several questions about policies that have the potential to reduce the illegal flow of guns (Table 4). These policies include (1) a limit on handgun purchases to one per customer per month to prevent bulk sales to persons who might resell the guns to those prohibited from purchasing one; (2) mandatory registration of firearms to aid in the tracing of guns; (3) regulation of private handgun sales in a manner similar to that governing transactions by commercial dealers; (4) the shutting down of non-

TABLE 3. SUPPORT AMONG RESPONDENTS FOR PROHIBITING GUN PURCHASES BY PERSONS CONVICTED OF SPECIFIC MISDEMEANORS.

CRIME	PERCENT WHO FAVORED OR STRONGLY FAVORED PROHIBITION	
	ALL RESPONDENTS (N=1200)	RESPONDENTS WHO OWNED GUNS (1996, N=355; 1997-1998, N=338)
Public display of a firearm in a threatening manner*	95	91
Possession of equipment for illegal drug use*	92	89
Domestic violence†	89	80
Assault and battery without a lethal weapon or serious injury†	85	75
Drunk and disorderly conduct†	84	73
A concealed weapon carried without a permit†	83	70
Driving under the influence of alcohol†	71	59
Shoplifting*	68	56
Indecent exposure*	61	48

*These results are from the 1996 survey.

†These results are from the 1997-1998 survey.

TABLE 4. SUPPORT AMONG RESPONDENTS FOR POLICIES TO REDUCE THE ILLEGAL SALE OF GUNS.

POLICY OPTION	PERCENT WHO FAVORED OR STRONGLY FAVORED THE POLICY	
	RESPONDENTS	
	ALL RESPONDENTS (N=1200)	WHO OWNED GUNS (1996, N=355; 1997-1998, N=338)
One handgun per person per month*	81	53
Mandatory registration of handguns†	82	72
Mandatory registration of rifles and shotguns†	63	45
Licenses to sell guns only to those with a commercial gun store*	70	60
Background check for private handgun sales*	77	72
High priority on the arrest of illegal gun traffickers*	83	72
Tamper-resistant serial numbers on handguns†	90	85

*These results are from the 1996 survey.

†These results are from the 1997-1998 survey.

commercial, “kitchen-table” gun dealerships; (5) the arrest of illegal gun traffickers as a high priority for police; and (6) mandatory tamper-resistant serial numbers on handguns.

Eighty-one percent of all respondents favored limiting handgun purchases to no more than one per customer per month. Eighty-two percent favored mandatory registration of handguns and pistols, and 63 percent favored mandatory registration of rifles and shotguns. Seventy percent preferred that licenses to sell guns be given only to operators of gun stores and not to persons who want to sell guns from their homes. When asked whether they would favor or oppose a law requiring that private gun sales be subject to the same background check as sales by licensed dealers, 77 percent of the respondents favored such a law. Eighty-three percent agreed that the arrest of illegal gun traffickers should be one of the highest priorities of the police and, despite the perceived importance of the arrest of drug dealers, 30 percent said that it was more important for the police to crack down on illegal gun sales than to crack down on illegal drug sales. Respondents were told that serial numbers on handguns, which permit gun tracing, could be made harder to remove, and that this could increase the price of the handgun slightly. Still, 90 percent favored a law requiring handgun manufacturers to make serial numbers tamper-resistant.

DISCUSSION

The long debate about gun policies at the national and state levels is notable more for its acerbity than for its accomplishments. There are now some promising policy options that when put before the public,

which has not yet reflected on them extensively, elicit considerable interest and support, even among owners of guns.

Regulating Handguns as Consumer Products

Regulating the design of handguns in order to protect the public is a relatively new policy option. This idea has been discussed in the medical and public-policy literature¹⁷⁻²² but has rarely been implemented.

For the most part, the design and safety of handguns are unregulated. The federal agency with regulatory authority over guns is the Bureau of Alcohol, Tobacco, and Firearms, part of the Treasury Department. The bureau’s regulations concerning firearms principally address the sale of guns and the taxation of those sales. The Consumer Product Safety Commission has been prohibited by Congress from exercising jurisdiction over firearms or ammunition.²³ Thus, although it has been argued that changes in the design of handguns could reduce the incidence of gun-related injuries,²⁴⁻²⁶ the design of handguns has been left primarily to the manufacturers.

In our surveys we found strong public support, even among gun owners, for government regulation of the design of handguns, particularly by means of childproofing and personalization. Already, consumer-protection regulations require that disposable cigarette lighters be childproof.²⁷ The childproofing of handguns might be accomplished, for example, by requiring that more than one task be performed in order to fire the gun.

Because a gun that is personalized can be operated only by authorized users, personalization not only can prevent injuries to very young children; it also can avert teenage suicide and the use of stolen guns in street crime. Personalization can be accomplished by electronic means, devices using radio-frequency signals, and ultimately, fingerprint recognition. Regulations promulgated by the attorney general of Massachusetts require stringent safety warnings to accompany the sale of a handgun if the weapon is not personalized.²⁸ Bills have been introduced in the New Jersey,^{29,30} Pennsylvania,³¹ and New York³² legislatures, patterned after a model law,³³ that would require all new handguns to be personalized. In our survey the strong support for mandatory personalization of new handguns is notable, given the relative recency of the idea.

Denying Gun Ownership to Persons Convicted of Misdemeanors

A majority of the members of the public surveyed in our study support outlawing the purchase of firearms by persons who have been convicted of any of a variety of misdemeanors. If legislation implementing this public opinion were adopted, many persons previously convicted of crimes who are now able to purchase guns legally would no longer be able to do so.

Currently, under the federal Gun Control Act of 1968, certain persons may not lawfully purchase a firearm. Perhaps the most important proscription category in the Gun Control Act prohibits the purchase of a gun by persons with a felony conviction, defined by the act as persons who have been "convicted in any court of a crime punishable by imprisonment for a term exceeding one year."³⁴

To improve enforcement of these restrictions on gun purchases, Congress in 1994 passed the Brady Law,³⁵ since ruled unconstitutional in part,³⁶ which requires criminal-history record checks for prospective handgun buyers and a waiting period before transfer of the handgun. In November 1998, however, the requirement of a waiting period will automatically end. An instant-check system, based on a registry of felons, is being developed. A computerized system that would permit easy, quick, and reliable background checks for other categories of proscription, such as drug addiction or commitment to a mental institution, does not yet appear feasible.

In 1996, another category of disqualification was added to the Gun Control Act: a previous conviction of a "misdemeanor crime of domestic violence."³⁷ For the first time, the ability to purchase or possess a gun was denied at the federal level to those who had been convicted of a nonfelonious crime. However, persons convicted of other, even violent, misdemeanors that do not involve domestic violence can still lawfully purchase firearms in most states.

Our surveys asked respondents whether persons convicted of any of several misdemeanors should be able to purchase firearms. For violent or gun-related misdemeanors, opposition to allowing gun purchase was especially strong, as high as 95 percent for "publicly displaying a firearm in a threatening manner." Even for conviction of a nonviolent crime such as indecent exposure or shoplifting, a majority of respondents (61 and 68 percent, respectively) favored the prohibition of gun purchase.

Reducing the Illegal Sale of Guns

Our polls measured respondents' support for several policies intended to make it more difficult for guns to be passed from legal to illegal users. All these policies were supported by a majority of respondents.

Limiting handgun sales to a maximum of one gun per person per month is intended to make it more difficult for traffickers to purchase many guns at one time for resale to illegal purchasers. Virginia³⁸ and Maryland³⁹ have recently enacted one-gun-per-month laws. An evaluation of Virginia's law demonstrates that after the law was implemented, it was 36 percent less likely than before that guns associated with a criminal investigation would be traced to Virginia gun dealers rather than to dealers in other southeastern states.⁴⁰ Because traffickers often seek out states

with lax gun laws, it has been proposed that one-gun-per-month legislation be advanced on the federal level.⁴¹

Several questions in our polls asked about support for policies that would directly affect gun dealers. The Gun Control Act defines a "dealer," in part, as one who is "engaged in the business" of selling guns at wholesale or retail prices. A requirement that gun dealers operate from business premises separate from their homes, supported by 70 percent of respondents to our polls, could better ensure that licensees are legitimate dealers.

Perhaps the illegal sale that is most difficult to control is transacted not by a licensed dealer but between two private individuals. Only a few states (including Maryland, Pennsylvania, and California) have laws requiring that private-party sales, rather than just those by licensed dealers, include a background check of the purchaser. The results of our polls suggest that there is public support for laws of this type.

Mandatory registration of handguns, favored by 82 percent of respondents, may be the linchpin of efforts to prevent the transfer of guns from legal to illegal users. With the requirement that each lawful owner of a handgun register it according to manufacturer, model, and serial number, much like an automobile, the gun can be traced and the owner held accountable if the gun is unlawfully sold.

Conclusions

The results of our surveys demonstrate high levels of public support for several innovative gun policies. Even most gun owners support the implementation of laws regulating the design of guns for safety and requiring that new handguns be childproof or personalized. A majority of the gun owners surveyed favored stricter regulations with regard to 20 of the 22 policies described in the poll. To make progress in preventing deaths and injuries from firearms, it is necessary to break the existing stalemate in the debate on gun policy. The proposals described in this article deserve serious consideration by policy makers.

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