

# A Guide to Defending Colorado's New Gun Safety Laws

by Tom Mauser

**Be Prepared!** Colorado passed some strong, common sense gun safety laws this year. Some gun rights activists have been attacking those laws. In 2014 they will be pushing bills to gut or repeal the laws. Legislators who approved the new laws are also under attack; in September 2013 two senators were recalled. So what can be done to protect these laws? **Speak up and defend them!** Whether it's around the water cooler at work or in a conversation with neighbors, when someone mentions these gun laws, it's important that you speak up. Better yet, of course, if YOU are the one bringing it up! To help you defend these laws, you really need to be armed (so to speak!) with information and effective responses. Below are some brief responses to some of the most common arguments put forth by gun activists.

I encourage you to bring the issue down to the basics, and to not waste your time debating the extreme gun activists—instead focusing on the people in “the moveable middle.” If a gun activist becomes aggressive or insulting, let them misbehave and isolate themselves—don't take the bait. If you'd like guidance on how to more effectively engage an audience, visit [www.danielmauser.com/engage.html](http://www.danielmauser.com/engage.html). For more background on the issue, visit [www.danielmauser.com/guninfo.html](http://www.danielmauser.com/guninfo.html) to educate yourself.

## Responses to Common Arguments Against Colorado's Gun Laws

1. *“These laws won't stop gun violence.”*
  - a. Nothing can stop **all** gun violence, especially in the United States, in which about 1 in 3 households have guns, and where there is such easy access to guns—over 250 million of them. The aim of these laws is to **reduce** and **prevent** gun violence.
  - b. It seems the only answer of gun rights activists is to add more guns. Americans are **already** heavily armed—and it hasn't worked very well for us, has it? We have by far the highest gun death rate of all the major industrial nations.
2. *“Criminals won't go through a background check.”*
  - a. Nonsense! They **DO** go through background checks! In 2012, over 7,000 people in Colorado tried to purchase a gun from a gun shop or gun show and were stopped because they were **prohibited purchasers**—which includes felons, people who are the subject of a restraining order, mentally disturbed people, and fugitives from justice.
  - b. Thirty-eight of those trying to buy a gun were arrested or convicted of murder! Twelve of them were denied a gun purchase because they were arrested or convicted of kidnapping, 133 for sexual assault, 420 because there was a restraining order against them. 236 of them were arrested based on there being warrants for their arrest.
  - c. Yes, criminals **do** try to purchase guns, and they are **stopped**. The system **works!** And now that Colorado has passed legislation to make all gun purchases go through a background check, we'll stop even more!
  - d. About 40% of gun purchases are private sales, which wouldn't undergo background checks if not for these laws. Imagine going to an airport and seeing 40% of passengers allowed to bypass security. Would you get on a plane under those circumstances? Of course not. That's why these laws make so much sense.

3. *“Even if a background check stops a purchase, we all **know** the criminals will just get a gun somewhere else anyway.”*
  - a. Well, if we make it **easy** for them, sure they will. So let’s make it **harder** for them. That’s why Colorado passed a law requiring more background checks—to make it harder for ‘the bad guys’ to get guns.
  - b. By this logic (that criminals will get guns anyway), we shouldn’t prohibit teens from buying alcohol in stores. After all, we all **know** they’re going to get booze anyway. Right? No! As a society we don’t make it easy for them, even though they might get around it. We pass laws to make it **difficult**.
4. *“If you take away the guns of law abiding citizens...”*
  - a. Wait a minute! Who’s talking about taking away people’s guns? These laws don’t take away guns. Are any of you a convicted felon, or a spouse abuser or a mentally disturbed person? If not, you pass a background check and get your gun. No law abiding citizens are having their guns taken away by these laws.
  - b. This talk of *taking away people’s guns* is just a distraction, a way of trying to demonize people who advocate for gun safety laws, and an attempt to get people stirred up and angry.
5. *“Oh, but these laws took away our 30-bullet magazines, which are a vital part of a firearm, and therefore took away our ability to defend ourselves! That’s just the same as taking away a gun!”*
  - a. Existing magazines were **not** taken away; they were “grandfathered in” for the original owner. New purchases and transfers are now limited to magazines holding 15 or less rounds. Coloradans were shocked by the carnage done with the 100-round drum used at the Aurora theater – 70 people injured or killed in 90 seconds. A majority of Coloradans favor limits on the capacity of these magazines, and they don’t want our streets and public places turned into war zones.
6. *“Why should I have to use two 15-round magazines to shoot rather than one 30-round?”*
  - a. Because a few seconds can save lives in a mass shooting. The shooter in the Tucson massacre was stopped during the few seconds it took for him to reload. So would you want 15 shots fired consecutively or 30? Aren’t 15 lives worth saving? We simply want to reduce the lives lost.
  - b. What’s more important—saving 15 lives or the “inconvenience” of having to reload?
7. *“These laws violate our Second Amendment rights!”*
  - a. Nonsense—only if you believe the Second Amendment provides an **absolute** right to bear arms. But it does not. Look at the first words in the Amendment: “A well regulated militia, being necessary to the security of a free state ....” The Supreme Court, a very conservative one, recently ruled that the Second Amendment conveys an individual right to bear arms but it did **not** strike down existing gun control laws. In fact, it specifically said that existing laws were acceptable so long as they were not as restrictive as the Washington, D.C. law it struck down. So it’s a matter of what’s reasonable and what’s not, rather than just saying that **all** gun control is a violation.
  - b. There are practical limits on our rights. The First Amendment doesn’t give an absolute right to free speech—you can’t yell “Fire” in a crowded theater and defend it as free speech.

8. *"These laws are just a knee-jerk reaction to the Sandy Hook and Aurora shootings, just feel-good laws that won't have any impact."*
  - a. There's nothing knee-jerk about them. These gun safety ideas have been proposed before and passed in a number of states. They're not new, untested or knee-jerk.
  - b. We've been suffering from a shameful level of gun violence for years, so it's no surprise that people react by trying to address the problem. Sure, we react more strongly after tragedies, but we can never overlook the fact we lose more people to gun violence **every** single day in America than we did at Sandy Hook.
9. *"None of these proposals would have stopped Columbine or Aurora or Sandy Hook!"*
  - a. Obviously it's too late to stop those tragedies. But we can take steps to try to **prevent** the next tragedy. Or would you rather just surrender and do nothing?
10. *"The answer is in letting people defend themselves. These laws prevent people from defending themselves."*
  - a. That's simply not true! It's just another fear-mongering tactic designed to get people angry and fearful. How do these laws prevent you from defending yourself? How does going thru a background check prevent a law abiding citizen from defending himself? How does using a 15-round magazine instead of a 30-round magazine keep you from defending yourself? Are there roaming gangs of 30 thugs invading people's homes?
11. *"The Democrats couldn't even get a single Republican vote for these laws, so there was no bipartisan support."*
  - a. True, no Republicans supported the bills, they voted in lock-step with the gun lobby. But when over 80% of Coloradans support background checks and not a single Republican legislator does, it's clear WHO is out of touch with the voters. And let's not forget that 70% of Colorado voters supported Amendment 22, closing the gun show loophole with more thorough background checks.
12. *"The problem is mental illness, not guns."*
  - a. In some cases mental health is the issue, but **more** often it's a problem with the criminal element. But when it does come to "dealing with mental illness," what bills has the gun lobby supported? It usually opposes any attempts to broaden the mental health definition that would keep guns from people like the Aurora and Tucson shooters.
  - b. The gun lobby argues we need to make sure we enter the records of mentally disturbed people into government databases. Okay, we can **agree on that** point! But then what's the point then when the gun lobby turns around and **opposes** conducting background checks that would keep guns from being **sold** to those mentally disturbed people?
13. *"These laws punish and criminalize the good guys, the law abiding citizens, not the bad guys."*
  - a. How the heck are law abiding citizens being criminalized? If you're truly law abiding, you pass the background check and get the gun. Do you feel you're being criminalized there? It's the bad guys who are being criminalized: they're stopped from buying a gun.
  - b. Do you feel it's punishment to undergo a security check at an airport?
14. *"We should enforce our existing laws, not make new ones!"*
  - a. Wait a minute! Who says we have to choose? Why can't we do both? How about we enforce the existing laws and write new ones if needed to close loopholes and keep us safer? Can't we agree on **that**?

15. "The bad guys will just get a gun from someplace else anyway—black market or a back alley."
  - a. Some will try, but does that mean we shouldn't make an effort to stop them? Because teenagers will try to get booze any way they can, does that mean we shouldn't try stopping them? The real question is, do you think we should make it difficult for criminals to buy a gun? Or should we just give up and make it easy for them?
16. "It's already illegal to sell a gun to a criminal or prohibited purchaser."
  - a. Yes, it's illegal to **knowingly** sell a gun to a criminal or prohibited purchaser. But it can be difficult to prove someone **knew** the person was prohibited. If they have to conduct a background check before selling, then they have no such excuse. Besides, how do you **know** someone isn't a felon or a wife beater or mentally disturbed? People don't have that information stamped on their foreheads and they will obviously lie to us. That's why we conduct a background check!
17. "The sheriffs do not support these bills."
  - a. Many sheriffs did oppose the bills. Nearly all were Republicans. Most are from rural areas. The police chiefs' association, on the other hand, supported the bills. It's been portrayed as a rural vs. urban issue, but we can't pass a law with different standards for different parts of the state; criminals aren't dumb, they'll exploit any loophole.
18. "These laws are just part of a plan to confiscate all guns."
  - a. And that argument is just a fear tactic to stop any meaningful efforts to reduce violence by spreading fear about government control. There are over 250 million firearms in this country—enough for every single adult, far more than are in the hands of the military. How in the world would government confiscate so many firearms?
19. "Well, Nazi Germany confiscated guns!"
  - a. Yes, the Nazis confiscated the guns of Jews and other enemies, but their gun ownership was far less than America's. Are you suggesting we're capable of electing a right wing government like that of Hitler? And surely you're not arguing that the Jews could have escaped persecution and death simply by having firearms? (If so, you're greatly and callously underestimating the full range of persecution the Jews faced.)
20. "There aren't a lot of people killed with assault weapons. Far more are killed with handguns."
  - a. That's true—but then, there are **far** more handguns than assault weapons. But a **disproportionate** number of deaths and injuries come from assault weapons, because they're so lethal. They are the preferred weapon of mass shooters and thugs.
21. "We need to eliminate gun control laws to protect ourselves from a tyrannical government, like that of Hitler, Stalin, or Pol Pot."
  - a. No, it's the **vote** that's protected us from a tyrannical government.
  - b. It's an insult to imply that Americans would elect someone like those tyrants or that we are capable of having a government like one of those.
22. "Guns don't kill people, people kill people."
  - a. That's just a simplistic cliché, it's not a constructive solution to anything. The fact is that in gun violence there are always two common elements: people and guns.

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