



BRIEF ANALYSIS

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Will Banning Assault Weapons Reduce Crime?

As part of its anticrime plan, the Clinton administration is endorsing a ban on the importation, manufacture, sale and possession of "assault weapons." Yet if passed, this legislation would do nothing to reduce the crime rate. Instead, it would give the American people the erroneous impression that the federal government was doing something serious about crime.

What an Assault Weapon Is. One of the reasons a ban on assault weapons is politically popular is that the public has been misled about what is being proposed. In the past, Congress has defined assault weapons in terms of their menacing appearance: folding stocks, pistol grips, large ammunition clips and attachments for bayonets. The official Department of Defense definition of an assault rifle is one capable of both automatic fire (many shots per trigger pull) and semiautomatic (one shot per trigger pull). Automatic-fire weapons — machine guns — have been closely regulated since 1934. As for semiautomatic weapons:

- There are about 35 million semiautomatic weapons in the United States; how many would be considered assault weapons would depend on the final wording of any legislation.
- Most proposals to ban "assault weapons" target those semiautomatics with a military appearance.
- Yet there is no functional difference between assault weapons and any other semiautomatics, including those used for hunting and target shooting.

Proponents of bans on assault weapons say they want to target weapons that are only useful for shooting a person and have no practical value in hunting. This may be a distinction not worth making, however. Any firearm can kill people. But the ones that would be banned under current proposals are not the ones that are used most frequently in murders.

Restrictions on Machine Guns. Politicians have encouraged voters to confuse semiautomatic and automatic weapons (machine guns). Since 1934 civilians have been required to obtain a special license from the U.S. Department of Treasury in order to possess automatic-fire weapons, and since 1986 importation or manufacture of these weapons for private use has been prohibited. The Russian AK-47, a true assault rifle, falls under these restrictions.

Over the past 50 years, no civilian has ever used a legally owned machine gun in a violent crime.

Furthermore, no semiautomatic weapons sold to civilians are readily convertible to automatic fire. Nonetheless, it is fairly easy for a law-abiding civilian to get permission to own a machine gun as a "collector." These guns pose no threat to the rest of us, however:

- There are about 103,000 machine guns in private hands.
- Yet over the past 50 years, no civilian has ever used a legally owned machine gun in a violent crime.

Despite Hollywood's depiction of the drug trade, even the illegal use of machine guns by drug dealers and other violent criminals is extremely rare.

Assault Weapons Are Rarely Used for Crime. Despite the political rhetoric, semiautomatic rifles are rarely used in crime. Criminals nearly always choose handguns because they're more easily concealed. As Figure I shows, rifles of all types were used in only 3.1 percent of homicides in 1992 while shotguns were used in 4.9 percent. Even drive-by shootings usually involve handguns or shotguns.

- Assault weapons are used in less than .0003 percent of crimes in New Jersey, according to testimony before the U.S. Senate Judiciary Committee.
- Of 14,988 guns seized by police in Chicago in 1988, only 3.1 percent were semiautomatics.
- Of 217 homicides committed in Dade County (Miami) Fla., in 1989, only three involved an assault weapon.

Neither of the two worst shooting sprees in U.S. history involved assault weapons.

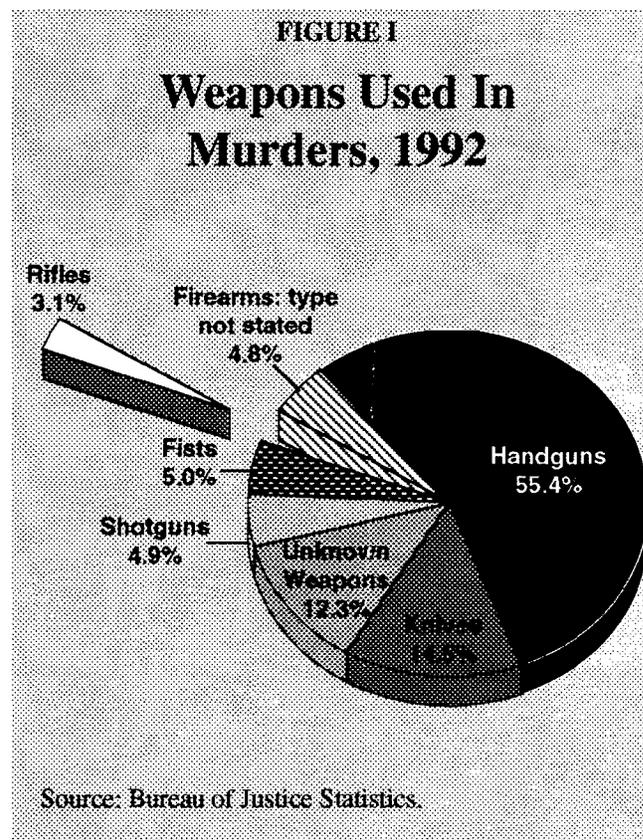
- James Huberty, who killed 20 people at a McDonald's Restaurant in San Ysidro, California, in 1984 used a shotgun, a pistol and a hunting rifle.
- George Hennard, who killed 22 people at a Luby's Cafeteria in Killeen, Texas, in 1991 used two ordinary pistols.

The Dangers of a Ban. Assault weapons bans have little effect on criminals, but they have often caused problems for law-abiding citizens. Among instances cited by author James Bovard:

- Since California banned assault weapons in 1989, police have seized numerous weapons and refused to return them even after receiving proof that the guns did not fall under the ban.
- An assault weapons ban in New Jersey was so sweeping that it even outlawed some BB guns.
- New York City, which required rifle owners to register their guns in 1967, banned many of them as assault weapons in 1991; police have since gone knocking on doors, demanding that some people surrender their guns.

Public Policy Implications. Banning assault weapons will do little to reduce crime. Few criminals use assault weapons. But if they wanted to, they would be

unlikely to let a legal ban stand in their way. Why does anyone else want an assault weapon? Some law-abiding citizens choose them for self-defense, for one thing. Others are collectors. There is too much violence — especially handgun murders committed by teenagers. But banning assault weapons will do little to solve that problem.



Recommended Reading: James Bovard, *Lost Rights: The Destruction of American Liberty* (New York: St. Martin's, forthcoming in April 1994).

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