Chapter 22


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ABSTRACT

Recent mass shootings including Charleston, SC; Chattanooga, TN; Chardon, OH; Virginia Tech in Blacksburg, VA; and San Bernardino, California, have resulted in public outcry for action. Nevertheless, the response at the state level following these events has varied significantly, with some states loosening gun restrictions and others adopting a variety of gun safety policies ranging from private-sale background checks to extreme risk protection orders. Why has the state-level response varied so significantly? In exploring this question, this chapter examines the influence of state-level factors on current gun control legislation. This chapter explores the level of legislative action concerning the update and/or pass new laws for the years, 2009 through 2017. Pooled cross-sectional time series data that controls for variation between states and over time is used.

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State-Level Policy Response to Mass Shootings

INTRODUCTION

Mass homicides perpetrated with firearms and occurring in schools, houses of worship, workplaces, restaurants, and other public spaces are associated with a decrease in public perception of personal safety and an increase vulnerability. One merely needs to reflect on the shock and public outcry demonstrated after the shootings in Charleston, SC, Chattanooga, TN, Chardon, OH, Virginia Tech in Blacksburg, VA, and San Bernardino, California to appreciate the traumatizing effect these incidents have on affected communities (Lowe & Galea, 2016).

Public mass shootings account for a small number of the country’s gun deaths, but they are uniquely frightening because they occur without warning and in the most everyday places (Berkowitz, Lu & Alcantara, 2018). Furthermore, the majority of those victimized in a mass shooting are not selected for something they have done, but merely for where they happen to be at a given point in time (Berkowitz, Lu & Alcantara, 2018). Though these shootings only account for a small proportion of gun deaths in America, their numbers are still disturbing. According to recent research (Everytown for Gun Safety, 2018, p. 2), there were approximately 173 mass shooting in the United States between 2009 and 2017 with a combined total of 1,793 shooting victims (1,001 fatally).

Generically, the term mass shooting or mass killings refers to a homicidal incident of violence, usually involving a gun and resulting in multiple fatalities and injuries. However, there is not an endorsed set of criteria or an official definition of mass shootings that resonates equally among academics, criminologists, and law enforcement personnel. For example, the term mass shooting has been described by Morton and Hilts (2008) as several murders (four or more) occurring during the same incident, with no distinctive time period between the murders (Morton & Hilts, 2008). Contrast that with the definition of ‘mass killing’ under 28 U.S. Code Subsection 530C(b)(1) which is three or more killings in a single incident in a public space (Public Law 112-265, 2012). According to the Federal Bureau of Investigation (FBI) the term “mass murder” is usually defined as a multiple homicide incident in which four or more victims are murdered within one event and in one or more locations in close geographical proximity (Douglas, et.al 2006, p.13).

Mass shootings characteristically reintroduce demands for broader gun control legislation (Krouse & Richardson, 2015). For example, in response to the 2007 Virginia Tech massacre, Congress passed the NICS Improvement Amendments Act of 2007 also known as Public Law 110-180 (Krouse & Richardson, 2015). P. L. 110-180 addresses improving federal and state electronic recordkeeping on persons barred from possession of firearms under federal law due to histories of mental illness or domestic violence (Krouse & Richardson, 2015).

Research by Luca, Malhotra, and Poliquin (2016) showed that mass shootings evoke substantial policy debate and response. Their study found that one mass shooting occurrence is indicative of a 15% increase in the number of firearm bills introduced in a state legislative body over the course of a year following the event (2016). Additionally, while resulting in a significantly lower number of deaths than other gun crimes, mass shootings were found to evoke a disproportionate response from citizens and political actors. Finally, their review of legislation proposed because of a mass shooting suggests that the type of laws enacted is dependent upon the political party in power. Legislatures controlled by the Republican Party tend to loosen gun restrictions immediately following a mass shooting, whereas in states where the legislature is controlled by the Democratic Party mass shootings did not noticeably influence changes in gun control laws (Luca, Malhotra, & Poliquin, 2016). Party control of the state
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