

# Who Do Gun Laws Protect?



Supporters of Baltimore Ceasefire 365 take part in a peace walk on August 2, 2019. [Alastair Pike/afp via Getty Images Source: <https://www.thetrace.org/rounds/baltimore-activists-ceasefire-weekends-coronavirus/>]

## Supporting Questions

1. To what extent does the Second Amendment protect gun ownership?
2. What do gun laws protect against?
3. Who does gun violence affect the most?

*Gun Rights Middle/High School Inquiry*

Who Do Gun Laws Protect?	
<b>C3 Framework Indicators</b>	<p><b>D2.Civ.14.9-12.</b> Analyze historical, contemporary, and emerging means of changing societies, promoting the common good, and protecting rights.</p> <p><b>D4.1.6-8.</b> Construct arguments using claims and evidence from multiple sources, while acknowledging the strengths and limitations of the arguments.</p>
<b>Staging the Compelling Question</b>	Generate a series of questions using the Question Formulation Technique (QFT) after observing a <a href="#">map of gun violence</a> in the United States.

Supporting Question 1	Supporting Question 2	Supporting Question 3
To what extent does the Second Amendment protect gun ownership?	What do gun laws protect against?	Who does gun violence affect the most?
Formative Performance Task	Formative Performance Task	Formative Performance Task
Create a statement that rewrites the Second Amendment in students' own words using language that clarifies its protections.	Create a detailed list of things that gun laws protect against.	Write an evidence-based claim that answers the supporting question.
Featured Sources	Featured Sources	Featured Sources
<p><b>Source A:</b> "Second Amendment of the United States Constitution"</p> <p><b>Source B:</b> "Not a Second Class Right"</p> <p><b>Source C:</b> "The Reasonable Right to Bear Arms"</p>	<p><b>Source A:</b> "Policies on Guns"</p> <p><b>Source B:</b> "Annual Gun Law Scorecard"</p> <p><b>Source C:</b> "Stand Your Ground Laws"</p>	<p><b>Source A:</b> "Gun Violence in America"</p> <p><b>Source B:</b> "Homicide Rates by State"</p> <p><b>Source C:</b> "Hispanic Victims of Lethal Firearms Violence in the United States"</p>

<b>Summative Performance Task</b>	<b>ARGUMENT:</b> <i>Who do gun laws protect?</i> Construct an argument (e.g., detailed outline, poster, essay) that answers the compelling question using specific claims and relevant evidence from sources while acknowledging competing views.
	<b>EXTENSION:</b> Participate in a fishbowl discussion that addresses the extent to which gun laws are effective.
<b>Taking Informed Action</b>	<p><b>UNDERSTAND:</b> Research gun laws in your state.</p> <p><b>ASSESS:</b> Identify state lawmakers who support and are opposed to increased restrictions on gun access.</p> <p><b>ACT:</b> Write a letter expressing your views on gun violence and laws to a legislator whose views oppose your own.</p>

## Overview

### Inquiry Description

This inquiry leads students through an investigation that examines the purpose and effects of gun legislation in the United States. In doing so, it provides students with the opportunity to critically examine the motives behind gun laws and the disproportionate impact of gun violence on Black and Latinx communities. Although this compelling question seems straightforward, the inquiry brings into focus the controversial nature of gun legislation and the continued public discourse on gun violence. The strategic use of sources is particularly useful in showing the ways that gun violence impacts communities of color.

It is important to note that teachers implementing this inquiry may be helped by some prerequisite knowledge of modern gun legislation and race relations. However, teachers and students can fully participate in this inquiry without expertise in the topics brought up by the questions, tasks, or sources. Teachers should be prepared and encouraged to provide additional context, sources, and direct instruction to guide students through the questions, tasks, and sources.

Although this inquiry focuses on the racial dimension of gun violence, the supporting questions are designed to scaffold students' learning from a general understanding of gun laws to a more specific understanding of the ways that race interacts with patterns of gun violence. The supporting questions enable students to think about the compelling question in three different ways, widening the scope through which they may understand the ways in which gun violence disproportionately impacts minority communities.

Note: This inquiry is expected to take three to five 45-minute class periods. The inquiry time frame could expand if teachers think their students need additional instructional experiences (e.g., supporting questions, formative performance tasks, featured sources, writing). Teachers are encouraged to adapt the inquiry to meet the needs and interests of their students. This inquiry lends itself to differentiation and modeling of critical thinking skills while assisting students in reading the variety of sources.

### Structure of the Inquiry

In addressing the compelling question—*Who do gun laws protect?*—students work through a series of supporting questions, formative performance tasks, and featured sources in order to construct an argument supported by evidence while acknowledging competing perspectives.

### Context of the Inquiry

This inquiry was developed through a collaboration between C3Teachers and a team of Summit Learning curriculum fellows. This collection of inquiry projects was designed to meet the needs of states and districts, who are increasingly calling for the inclusion of ethnic and gender studies in their school curriculum. Schools need culturally relevant materials that represent the histories and experiences of the communities they serve. The focus on culturally relevant curriculum is an inclusive focus. Culture is not a thing that some people have and others do

not. This project, and others in the collection, represent a diverse set of identities and perspectives.

## Cognitive Skills

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The Summit Learning Cognitive Skills Rubric is an assessment and instruction tool that outlines the continuum of skills that are necessary for college and career readiness. Cognitive Skills are interdisciplinary skills that require higher-order thinking and application.

The rubric includes 36 skills and 8 score levels applicable to students in grades 3 through 12. Through Summit Learning, students practice and develop Cognitive Skills in every subject and in every grade level. The use of a common analytic rubric for assessment of project-based learning allows for targeted, standards-aligned feedback to students and supports the development of key skills over time. For more information, see the Cognitive Skills rubric here: <https://cdn.summitlearning.org/assets/marketing/Cognitive-Skills-Document-Suite.pdf>

## Staging the Compelling Question

<b>Compelling Question</b>	Who do gun laws protect?
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To stage the compelling question-*Who do gun laws protect?*-students consider an interactive map of gun violence trends. Students should be given time to explore the map. As they do so, teachers can encourage them to create a series of questions using the Question Formulation Technique (<https://rightquestion.org/what-is-the-qft/>).

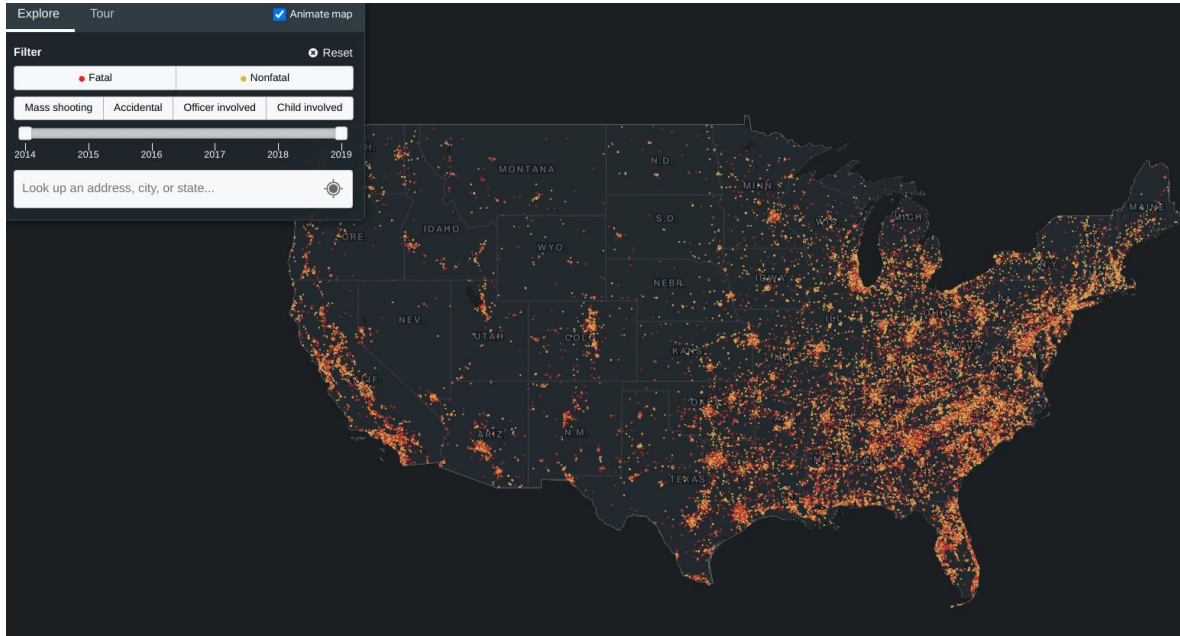
Using the map for inspiration, students create a list of questions based on the information they encounter. They can do so individually or in small groups. As a class, students then share the questions they or their groups created, discussing the reasoning behind the questions. For example, potential questions may arise that center on the ways that gun violence is clustered in specific areas of cities and communities. This insight may prompt questions about population groupings. Teachers can then prompt students to ask other questions about information that is not included on this map, such as the racial and social class make-up of communities.

This discussion can provide students with the opportunity to explore their own thoughts on the effects of gun while looking at actual data on gun violence. This exercise prepares students for the data they may encounter in the inquiry. In addition, by actively questioning the data represented on the map, students practice using questions as a way to explore complex sources of information.

## Staging the Compelling Question

### Featured Source

“Gun Violence Interactive Shooting Map,” *The Trace*. Accessed from:  
<https://www.thetrace.org/features/gun-violence-interactive-shootings-map/>



\*Screenshot from source. See full-text to access images and additional information.

## Supporting Question 1

<b>Supporting Question</b>	To what extent does the Second Amendment protect gun ownership?
<b>Formative Performance Task</b>	Create a statement that rewrites the Second Amendment in students' own words using language that clarifies its protections.
<b>Featured Sources</b>	<b>Source A:</b> "Second Amendment of the United State Constitution," Passed by Congress September 25, 1789. Ratified December 15, 1791. Accessed at: <a href="https://constitutioncenter.org/interactive-constitution/amendment/amendment-ii">https://constitutioncenter.org/interactive-constitution/amendment/amendment-ii</a>
	<b>Source B:</b> Lund, Nelson. "Not a Second Class Right: The Second Amendment Today." 2015. Interactive Constitution Center. (excerpts). Accessed at: <a href="https://www.law.gmu.edu/assets/files/publications/working_papers/LS1523.pdf">https://www.law.gmu.edu/assets/files/publications/working_papers/LS1523.pdf</a>
	<b>Source C:</b> Winkler, Adam. "A Reasonable Right to Bear Arms," 2015. Interactive Constitution Center. (excerpts). Accessed at: <a href="https://www.law.gmu.edu/assets/files/publications/working_papers/LS1523.pdf">https://www.law.gmu.edu/assets/files/publications/working_papers/LS1523.pdf</a>

### Supporting Question 1 and Formative Performance Task

The first supporting question, *To what extent does the Second Amendment protect gun ownership?*, enables students to examine the text of the Second Amendment of the Constitution along with two opposing interpretations of the amendment's meaning and application. Teachers should examine the sources prior to implementation as they may prove challenging for students who are unfamiliar with the Constitution or Constitutional analysis. Providing more context and support for students can be accomplished through additional readings or direct instruction.

In the formative task, students create a statement that rewrites the Second Amendment in their own words, using language that clarifies the amendment's protections. These statements should be brief (2-5 sentences) and should reflect students' understanding of the amendment and its potential limitations as articulated by sources B and C. To assist students, teachers can use a variety of close reading or source strategies to help them break down sources. For struggling writers, teachers can provide graphic organizers or writing templates that guide students through the analysis process.

### Featured Sources

The following sources were selected to help students assess different interpretations of the Second Amendment. These sources help students answer the supporting question. Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.

**SOURCE A** This source presents the exact text of the Second Amendment from the Second Amendment of the US Constitution.

**SOURCE B** In this source, the author, a professor at George Mason University, argues that limiting gun ownership is a violation of individual rights.

**SOURCE C** In this source, the author, a law professor at UCLA, argues that limitations on gun ownership are necessary in order to preserve the freedom and safety of individuals.



**Supporting Question 1****Featured Source A**

“Second Amendment of the United State Constitution,” Passed by Congress September 25, 1789. Ratified December 15, 1791. Accessed from:  
<https://constitutioncenter.org/interactive-constitution/amendment/amendment-ii>

“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”

## Supporting Question 1

## Featured Source B

Lund, Nelson. "Not a Second Class Right: The Second Amendment Today." 2015. *Interactive Constitution Center*. Excerpts. Accessed from:  
[https://www.law.gmu.edu/assets/files/publications/working\\_papers/LS1523.pdf](https://www.law.gmu.edu/assets/files/publications/working_papers/LS1523.pdf)

The right to keep and bear arms is a lot like the right to freedom of speech. In each case, the Constitution expressly protects a liberty that needs to be insulated from the ordinary political process. Neither right, however, is absolute. The First Amendment, for example, has never protected perjury, fraud, or countless other crimes that are committed through the use of speech. Similarly, no reasonable person could believe that violent criminals should have unrestricted access to guns, or that any individual should possess a nuclear weapon.

Inevitably, courts must draw lines, allowing [the] government to carry out its duty to preserve an orderly society, without unduly infringing the legitimate interests of individuals in expressing their thoughts and protecting themselves from criminal violence. This is not a precise science or one that will ever be free from controversy.

One judicial approach, however, should be unequivocally rejected. During the nineteenth century, courts routinely refused to invalidate restrictions on free speech that struck the judges as reasonable. This meant that speech got virtually no judicial protection. Government suppression of speech can usually be thought to serve some reasonable purpose, such as reducing social discord or promoting healthy morals. Similarly, most gun control laws can be viewed as efforts to save lives and prevent crime, which are perfectly reasonable goals. If that's enough to justify infringements on individual liberty, neither constitutional guarantee means much of anything.

During the twentieth century, the Supreme Court finally started taking the First Amendment seriously. Today, individual freedom is generally protected unless the government can make a strong case that it has a real need to suppress speech or expressive conduct, and that its regulations are tailored to that need. The legal doctrines have become quite complex, and there is room for disagreement about many of the Court's specific decisions. Taken as a whole, however, this body of case law shows what the Court can do when it appreciates the value of an individual right enshrined in the Constitution.

The Second Amendment also raises issues about which reasonable people can disagree. But if the Supreme Court takes this provision of the Constitution as seriously as it now takes the First Amendment, which it should do, there will be some easy issues as well.

- *District of Columbia v. Heller* (2008) is one example. The "right of the people" protected by the Second Amendment is an individual right, just like the "right[s] of the people" protected by the First and Fourth Amendments. The Constitution does not say that the Second Amendment protects a right of the states or a right of the militia, and nobody offered such an interpretation during the Founding era. Abundant historical evidence indicates that the Second Amendment was meant to leave citizens with the ability to defend themselves against unlawful violence. Such threats might come from usurpers of governmental power, but they might also come from criminals whom the government is unwilling or unable to control.
- *McDonald v. City of Chicago* (2010) was also an easy case under the Court's precedents. Most other provisions of the Bill of Rights had already been applied to the states because they are "deeply rooted in this Nation's history and tradition." The right to keep and bear arms clearly meets this test.

- The text of the Constitution expressly guarantees the right to bear arms, not just the right to keep them. The courts should invalidate regulations that prevent law-abiding citizens from carrying weapons in public, where the vast majority of violent crimes occur. First Amendment rights are not confined to the home, and neither are those protected by the Second Amendment.
- Nor should the government be allowed to create burdensome bureaucratic obstacles designed to frustrate the exercise of Second Amendment rights. The courts are vigilant in preventing government from evading the First Amendment through regulations that indirectly abridge free speech rights by making them difficult to exercise. Courts should exercise the same vigilance in protecting Second Amendment rights...

In most American states, including many with large urban population centers, responsible adults have easy access to ordinary firearms, and they are permitted to carry them in public. Experience has shown that these policies do not lead to increased levels of violence. Criminals pay no more attention to gun control regulations than they do to laws against murder, rape, and robbery. Armed citizens, however, prevent countless crimes and have saved many lives. What's more, the most vulnerable people—including women, the elderly, and those who live in high crime neighborhoods—are among the greatest beneficiaries of the Second Amendment. If the courts require the remaining jurisdictions to stop infringing on the constitutional right to keep and bear arms, their citizens will be more free and probably safer as well.

## Supporting Question 1

## Featured Source C

Winkler, Adam. "A Reasonable Right to Bear Arms," 2015. *Interactive Constitution Center*. Excerpts. Accessed from: [https://www.law.gmu.edu/assets/files/publications/working\\_papers/LS1523.pdf](https://www.law.gmu.edu/assets/files/publications/working_papers/LS1523.pdf)

Gun control is as much a part of the Second Amendment as the right to keep and bear arms. The text of the amendment, which refers to a "well regulated Militia," suggests as much. As the Supreme Court correctly noted in *District of Columbia v. Heller* (2008), the militia of the founding era was the body of ordinary citizens capable of taking up arms to defend the nation. While the Founders sought to protect the citizenry from being disarmed entirely, they did not wish to prevent [the] government from adopting reasonable regulations of guns and gun owners.

Although Americans today often think that gun control is a modern invention, the Founding era had laws regulating the armed citizenry. There were laws designed to ensure an effective militia, such as laws requiring armed citizens to appear at mandatory musters where their guns would be inspected. Governments also compiled registries of civilian-owned guns appropriate for militia service, sometimes conducting door-to-door surveys. The Founders had broad bans on gun possession by people deemed untrustworthy, including slaves and loyalists. The Founders even had laws requiring people to have guns appropriate for militia service.

The wide range of Founding-era laws suggests that the Founders understood gun rights quite differently from many people today. The right to keep and bear arms was not a libertarian license for anyone to have any kind of ordinary firearm, anywhere they wanted. Nor did the Second Amendment protect a right to revolt against a tyrannical government. The Second Amendment was about ensuring public safety, and nothing in its language was thought to prevent what would be seen today as quite burdensome forms of regulation. The Founding-era laws indicate why the First Amendment is not a good analogy to the Second. While there have always been laws restricting perjury and fraud by the spoken word, such speech was not thought to be part of the freedom of speech. The Second Amendment, by contrast, unambiguously recognizes that the armed citizenry must be regulated—and regulated "well." This language most closely aligns with the Fourth Amendment, which protects a right to privacy but also recognizes the authority of the government to conduct reasonable searches and seizures.

The principle that reasonable regulations are consistent with the Second Amendment has been affirmed throughout American history. Ever since the first cases challenging gun controls for violating the Second Amendment or similar provisions in state constitutions, courts have repeatedly held that "reasonable" gun laws—those that don't completely deny access to guns by law-abiding people—are constitutionally permissible. For 150 years, this was the settled law of the land—until *Heller*.

*Heller*, however, rejected the principle of reasonableness only in name, not in practice. The decision insisted that many types of gun control laws are presumptively lawful, including bans on possession of firearms by felons and the mentally ill, bans on concealed carry, bans on dangerous and unusual weapons, restrictions on guns in sensitive places like schools and government buildings, and commercial sale restrictions. Nearly all gun control laws today fit within these exceptions. Importantly, these exceptions for modern-day gun laws unheard of in the Founding era also show that lawmakers are not limited to the types of gun control in place at the time of the Second Amendment's ratification.

In the years since *Heller*, the federal courts have upheld the overwhelming majority of gun control laws challenged under the Second Amendment. Bans on assault weapons have been consistently upheld, as have restrictions on gun magazines that hold more than a minimum number of rounds of ammunition. Bans on guns in national parks, post

offices, bars, and college campuses also survived. These decisions make clear that lawmakers have wide leeway to restrict guns to promote public safety so long as the basic right of law-abiding people to have a gun for self-defense is preserved.

Perhaps the biggest open question after *Heller* is whether the Second Amendment protects a right to carry guns in public. While every state allows public carry, some states restrict that right to people who can show a special reason to have a gun on the street. To the extent these laws give local law enforcement unfettered discretion over who can carry, they are problematic. At the same time, however, many constitutional rights are far more limited in public than in the home. Parades can be required to have a permit, the police have broader powers to search pedestrians and motorists than private homes, and sexual intimacy in public places can be completely prohibited.

The Supreme Court may yet decide that more stringent limits on gun control are required under the Second Amendment. Such a decision, however, would be contrary to the text, history, and tradition of the right to keep and bear arms.

## Supporting Question 2

<b>Supporting Question</b>	What do gun laws protect against?
<b>Formative Performance Task</b>	Create a detailed list of things that gun laws protect against.
<b>Featured Sources</b>	<b>Source A:</b> “Policies on Guns,” Constitutional Rights Foundation, 2012. (excerpts). Accessed at: <a href="https://www.crf-usa.org/">https://www.crf-usa.org/</a>
	<b>Source B:</b> “Annual Gun Law Scorecard,” Giffords Law Center to Prevent Gun Violence. Accessed at: <a href="https://lawcenter.giffords.org/scorecard/">https://lawcenter.giffords.org/scorecard/</a>
	<b>Source C:</b> Morall, A. and Smart. R. “‘Stand Your Ground’ Laws May Be Causing More Harm Than Good.” Rand Corporation. September 12, 2019. (excerpts). Accessed at: <a href="https://www.rand.org/blog/2019/09/stand-your-ground-laws-increase-violence.html">https://www.rand.org/blog/2019/09/stand-your-ground-laws-increase-violence.html</a>

### Supporting Question 2 and Formative Performance Task

The second supporting question—*What do gun laws protect against?*—enables students to question the purpose and impact of gun laws in the United States. In addition, the three sources provide examples of gun legislation efforts at the Federal and state levels, providing students with a picture of the complexity of gun legislation.

The formative task asks students to create a detailed list of things that gun laws protect against (e.g., people, violence, gun ownership). Teachers should encourage students to create detailed lists, annotating them to indicate which source is supplying the information and then corroborating each source to note key similarities and differences.

### Featured Sources

The following sources were selected to help students examine the motivations behind and effects of gun laws in the United States. These sources help students answer the supporting question. Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.

**SOURCE A** This source provides an overview of the current state of gun regulations in the United States.

**SOURCE B** In this source, students use an interactive database to explore gun law variations by state.

**SOURCE C** Here, the source covers the motivations and effects of so-called “stand your ground” laws.

## Supporting Question 2

## Featured Source A

"Policies on Guns," *Constitutional Rights Foundation*, 2012. (excerpts). Accessed from: <https://www.crf-usa.org/>

Americans possess more than 200 million firearms. Each year about 640,000 violent crimes, including 16,000 murders are committed with guns, mostly handguns. Some people believe gun-control laws, which restrict gun ownership, can reduce the bloodshed. Others believe that guns help protect Americans and gun laws should be less strict. Americans have highly conflicting views on gun laws. According to a 2011 Gallup Poll, the public splits 44 percent in favor of stricter gun laws, 43 percent in favor of keeping gun laws as they are now, and 11 percent in favor of making our gun laws less strict. This is a record low favoring stricter gun laws. Twenty years earlier, the same poll found almost 80 percent of Americans favoring stricter gun laws.

Gun control faces stiff opposition in the United States. Millions of Americans point out that gun ownership is a right and that guns serve a legitimate purpose in society. They argue that guns are not the problem. Rather than penalizing law-abiding gun owners, they favor punishing more harshly those who use guns to commit crimes. The opposition is led by the National Rifle Association (NRA) and the gun industry. The NRA represents almost 4-million hunters and gun enthusiasts. The gun industry, made up of manufacturers and retailers, earns billions of dollars annually. Together they form a powerful opposition to legislation imposing control on guns.

Over the years, however, the federal government has enacted five major nationwide gun laws. In 1934, it prohibited the possession of machine guns, sawed-off shotguns, and silencers. The Gun Control Act of 1968 limited the importation and sale of cheap handguns, known as Saturday Night Specials, and prohibited the interstate sale of handguns. The Brady Act, passed in 1993, requires a five-day waiting period for all handgun purchases. The 1994 crime bill banned the import and manufacture of certain military assault weapons. A 1996 law banned anyone convicted of a domestic violence offense from owning or using a gun. The 1994 assault-weapon ban expired in September 2004. President George W. Bush stated that he favored extending the ban, but Congress refused to extend it. Supporters of the ban say that assault weapons pose tremendous dangers to the public, and there is no good reason for private citizens to possess them. Opponents say that few crimes are committed with assault weapons (and those are by criminals who can easily get around the ban) and the ban violates the Second Amendment...

**ARGUMENTS ON HANDGUN CONTROL**

**Against Handgun Control**

**For Handgun Control**

Gun control impinges on a basic right of all Americans – the right to protect themselves. This right is so important that the Second Amendment to the Constitution guarantees the right to bear arms.

The Second Amendment is not an unlimited right. Most gun-control laws are reasonable restrictions on this right.

With our society's high rate of violence and lack of adequate policing, guns offer citizens protection.

Guns are far more likely to harm members of the owner's household than offer protection against criminals.

"Guns don't kill people. People kill people." Switzerland, which has a low rate of murder, requires most adult males to keep automatic weapons at home for the army.

Guns make bad situations worse. Our murder rate is higher than other countries because handguns are so readily available.

"When guns are outlawed, only outlaws will have guns." Criminals will always find ways of getting guns or other weapons. Washington, D.C., and other jurisdictions with strong gun-control laws have the worst murder rates in the country.

Most of the crimes committed with guns in Washington, D.C., are committed with guns bought in nearby states with lax gun laws.

Instead of penalizing ordinary citizens, the proper way to keep criminals from using guns is to impose harsher penalties on criminals who use them.

We already impose mandatory sentences on criminals using guns.

Our country has too many guns in circulation for gun-control laws to be effective.

Canada had similar laws to ours until the 1920s. Gun control has worked there.

Even if gun-control laws did reduce the use of handguns, criminals would simply shift to other weapons.

Guns are more lethal than other weapons. A person shot with a gun is five times more likely to die than a person stabbed with a knife.

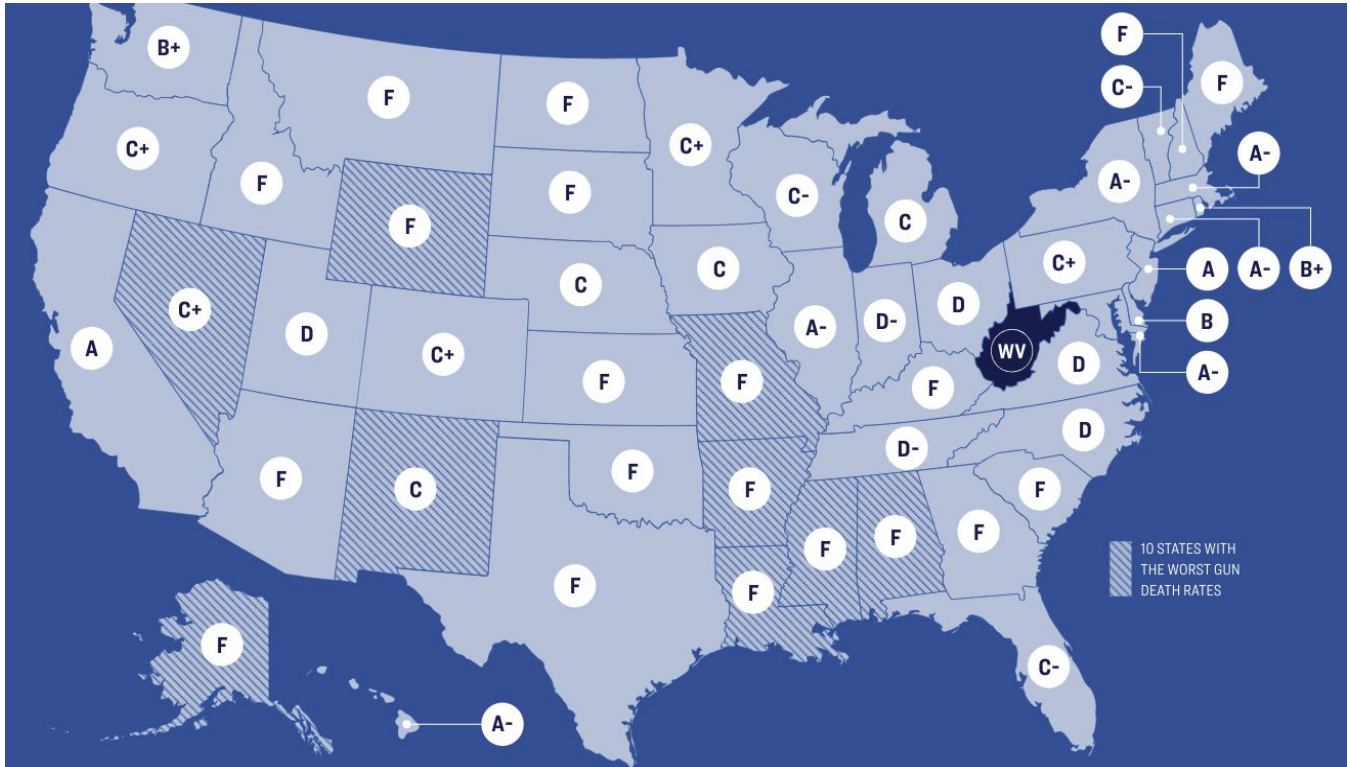


Supporting Question 2

Featured Source B

“Annual Gun Law Scorecard,” *Giffords Law Center to Prevent Gun Violence*. Accessed from: <https://lawcenter.giffords.org/scorecard/>

\*Note: Source is interactive. See full-text to access images and additional information.

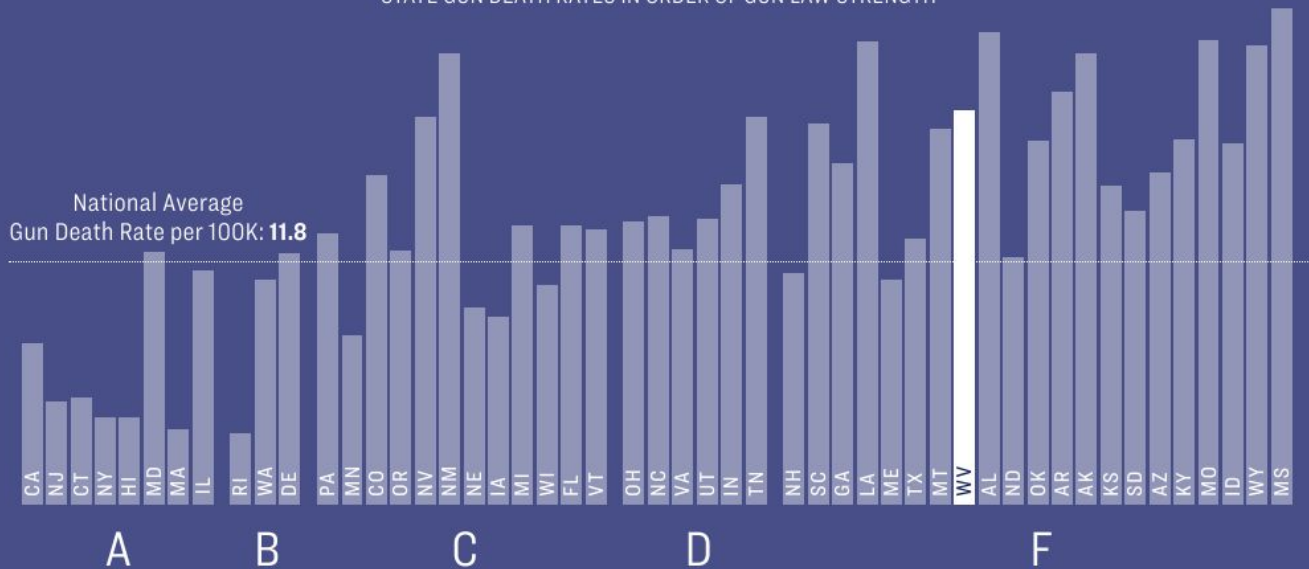


Gun Law Strength: **34** OF 50 STATES

Gun Death Rank: **9** OF 50 STATES

### Stronger Gun Laws, Fewer Gun Deaths

STATE GUN DEATH RATES IN ORDER OF GUN LAW STRENGTH



WEST VIRGINIA'S GUN DEATH RATE PER 100K PEOPLE: **18.11**

\*Screenshot from source. See full-text to access images and additional information.

## Supporting Question 2

## Featured Source C

Morall, A. and Smart. R. "‘Stand Your Ground’ Laws May Be Causing More Harm Than Good." *Rand Corporation*. September 12, 2019. (excerpts). Accessed from: <https://www.rand.org/blog/2019/09/stand-your-ground-laws-increase-violence.html>

The trial of Michael Drejka that ended with his conviction on manslaughter charges once again brought national attention to Florida's "stand your ground" law. This law, the model for laws in 32 other states, lowers the bar for using deadly force in a confrontation. Prior to these laws, use of deadly force could be justified only if a person reasonably believed themselves at imminent risk of injury or death, with no safe way of retreating from the confrontation. "Stand your ground" laws removed this duty to retreat.

Proponents of "stand your ground" laws argue they reduce barriers that prevent victims from exercising the right to defend themselves. Citizens had already possessed a right to "meet force with force" without retreating when threatened in their homes (a law referred to as the "Castle Doctrine"). "Stand your ground" laws extended that right to other locations. Proponents argue that expansion of the Castle Doctrine would deter would-be criminals.

Despite laws like Florida's having been around for a quarter-century, we have little research on whether "stand your ground" laws actually prevent criminal violence as proponents suggest, or exacerbate it, as opponents believe...

...The RAND [Corporation] review [of gun laws in America] concluded there was "moderate" evidence—the second strongest level of evidence—that these laws are associated with an increase in homicides. Since publication of RAND's report, at least four additional studies meeting RAND's standards of rigor have reinforced the finding that "stand your ground" laws increase homicides. None of them found that "stand your ground" laws prevent violent crime. No rigorous study has yet determined whether "stand your ground" laws promote legitimate acts of self-defense.

Of the gun laws RAND examined, only two others suggested evidence as strong or stronger as that for "stand your ground" laws. Researchers found "moderate" evidence that background checks reduce suicides as well as violent crime, and "supportive" evidence—the highest rating—that laws to prevent access by children to firearms reduce childhood injuries and deaths...

We should know much more about which gun policies work, which ones don't; about what drives mass shooters and how to keep guns out of the hands of potential suicide victims. There are many other questions. Unfortunately, the federal government took a pass on seriously funding gun policy research a quarter of a century ago after the passage of the Dickey Amendment.

Although approximately 40,000 Americans die annually from gunshot injuries, and two or three times this number sustain non-fatal gunshot injuries, the federal government currently spends a fraction as much on gun violence prevention research as it does on other causes of death that kill similar numbers of people...

Americans have debated whether Stand Your Ground laws or gun-free zones make us safer or less safe for decades. These are debates about factual matters that are, in principle, knowable. Without scientific research on these and other topics, bad laws will inadvertently be passed or retained under the mistaken belief that they will make us safer.

## Supporting Question 3

<b>Supporting Question</b>	Who does gun violence affect the most?
<b>Formative Performance Task</b>	Write an evidence-based claim that answers the supporting question.
<b>Featured Sources</b>	<b>Source A:</b> “Gun Violence in America,” Everytown for Gun Safety, February 20, 2020. (excerpts). Accessed at: <a href="https://everytownresearch.org/gun-violence-america/">https://everytownresearch.org/gun-violence-america/</a>
	<b>Source B:</b> Howard, Jacqueline. “The Disparities in How Black and White Men Die in Gun Violence, State by State,” CNN. (excerpts) Accessed at: <a href="https://www.cnn.com/2018/04/23/health/gun-deaths-in-men-by-state-study/index.html">https://www.cnn.com/2018/04/23/health/gun-deaths-in-men-by-state-study/index.html</a>
	<b>Source C:</b> “Hispanic Victims of Lethal Firearms Violence in the United States,” Violence Policy Center. 2018. (excerpts) Accessed at: <a href="https://vpc.org/">https://vpc.org/</a>

### Supporting Question 3 and Formative Performance Task

The third supporting question—*Who does gun violence affect the most?*—focuses students' attention on the disparity of gun violence impact on different racial groups. The sources in these tasks provide students with a stark contrast in the way gun violence is carried out among White, Black, and Latinx populations. This question is pivotal in that it enables students to look at the human impact of gun legislation. The information presented for this task is visual so teachers should provide instruction and assistance when needed.

The formative task asks students to create an evidence-based claim (and counterclaim) that answers the supporting question. This task is critical in helping students form their arguments. Teachers may need to provide instruction and scaffolding to students who are not used to claim-writing. For this task, a claim should be based on the evidence provided in the sources and should be concise: 1- 3 sentences. The claim should be an attempt to reconcile the conflicting information presented in the sources. Teachers should encourage students to write clear, accurate, and well-reasoning claims.

Based on students' work on this third formative task, teachers should encourage them to begin brainstorming possible answers to the compelling question based on what they have learned.

### Featured Sources

The featured sources provide several examples of how gun violence can impact separate racial groups at different levels of intensity. These solutions align to previously-identified issues. However, teachers are encouraged to provide additional sources that align with students' interests and/or address each of the identified issues more robustly. Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.

**SOURCE A** This source provides an overview of gun violence victimization in the United States.

**SOURCE B** This source explores the effects of gun violence on Black populations, in particular.

**SOURCE C** Here, the source delves deeper into the racial dimension of gun violence by focusing on gun violence and Latinx communities.

## Supporting Question 3

## Featured Source A

"Gun Violence in America," *Everytown for Gun Safety*, February 20, 2020. (excerpts). Accessed from: <https://everytownresearch.org/gun-violence-america/>

See full-text to access images and additional information.

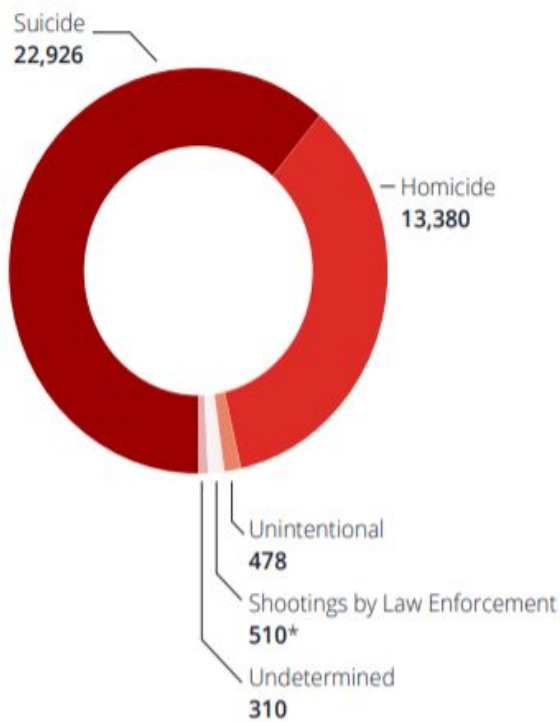
# GUN VIOLENCE IN AMERICA

Every day, **more than 100 Americans are killed with guns and 200 more are shot and wounded.** The effects of gun violence extend far beyond these casualties—gun violence shapes the lives of millions of Americans who witness it, know someone who was shot, or live in fear of the next shooting.

In order to illustrate the magnitude of everyday gun violence, Everytown has gathered the most comprehensive, publicly available data. Still, significant data gaps remain—a result of underfunded, incomplete data collection at the state and federal level. Filling these gaps is necessary to truly understand the full impact of gun violence in the United States.

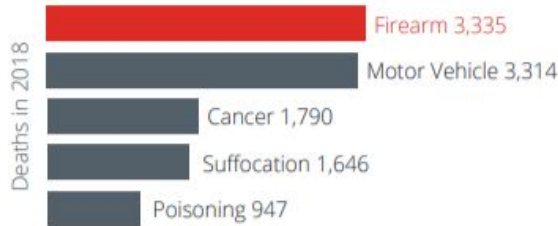
## GUN DEATHS BY INTENT<sup>1</sup>

Average Deaths per Year  
Total 37,603



\*Note: This intent category is believed to be underreported and is likely being misclassified as homicide.<sup>2</sup> *The Washington Post's* database is widely cited and estimates that 988 civilians are fatally shot by police in an average year—nearly twice as many as recorded by the CDC.<sup>3</sup>

**FIREARMS ARE THE LEADING CAUSE OF DEATH FOR AMERICAN CHILDREN AND TEENS.<sup>17</sup>**



**CHILDREN AND TEENS**

Firearms are the leading cause of death for American children and teens.<sup>17</sup>

More than 1,700 children and teens die by gun homicide every year.<sup>18</sup> For children under the age of 13, these gun homicides most frequently occur in the home and are often connected to domestic or family violence.<sup>19</sup>

Black children and teens are 14 times more likely than white children and teens of the same age to die by gun homicide.<sup>20</sup>

**DOMESTIC VIOLENCE**

Women in the U.S. are 21 times more likely to be killed with a gun than women in other high-income countries.<sup>21</sup>

In an average month, 53 American women are shot to death by an intimate partner,<sup>22</sup> and many more are shot and wounded.

Nearly one million women alive today have been shot or shot at by an intimate partner.<sup>23</sup> Approximately 4.5 million American women alive today have been threatened with a gun by an intimate partner.<sup>24</sup>

Access to a gun in a domestic violence situation makes it five times more likely that a woman will be killed.<sup>25</sup>

**1** **NEARLY ONE MILLION WOMEN ALIVE TODAY HAVE BEEN SHOT OR SHOT AT BY AN INTIMATE PARTNER.<sup>23</sup>**  
**MILLION**

\*Screenshot from source. See full-text to access images and additional information.

Supporting Question 3

Featured Source B

Howard, Jacqueline. "The Disparities in How Black and White Men Die in Gun Violence, State by State," *CNN*. (excerpts) Accessed from: <https://www.cnn.com/2018/04/23/health/gun-deaths-in-men-by-state-study/index.html>

\*Note: Data for 10 states was unavailable.

### Firearm homicide death rates, by race

Annual firearm homicide deaths among men per 100,000 per year, by race and state.

State	White	Black	Diff.
Missouri	2.77	59.42	56.65
Michigan	1.52	49.14	47.62
Illinois	1.05	47.94	46.89
Indiana	2.09	46.06	43.97
Pennsylvania	1.47	43.32	41.85
Nebraska	1.39	40.68	39.29
Louisiana	4.06	42.91	38.85
Ohio	1.83	37.15	35.32
Wisconsin	0.92	33.53	32.61
New Jersey	0.65	31.69	31.04
Oklahoma	4.30	34.67	30.37
California	2.05	32.27	30.22
Tennessee	3.29	33.42	30.13
Maryland	1.36	31.07	29.71
Arkansas	4.39	33.39	29.00
Delaware	1.74	30.32	28.58
Alabama	4.47	33.00	28.53
United States	2.10	29.12	27.02
Kansas	2.08	27.01	24.93
Florida	3.11	26.53	23.42
Mississippi	4.79	28.11	23.32
Kentucky	3.46	26.20	22.74
South Carolina	3.76	24.35	20.59
Connecticut	0.86	21.44	20.58
Nevada	3.22	23.03	19.81
West Virginia	3.91	22.31	18.40
North Carolina	2.89	21.20	18.31
Georgia	2.76	20.46	17.70
New York	0.80	18.43	17.63
Virginia	1.76	18.65	16.89
Arizona	3.63	20.40	16.77
Massachusetts	0.63	16.84	16.21
Texas	3.42	18.45	15.03
Colorado	1.75	16.56	14.81
Minnesota	0.75	15.28	14.53
New Mexico	4.26	18.44	14.18
Iowa	0.99	13.73	12.74
Oregon	1.70	13.48	11.78
Washington	1.71	12.13	10.42
Alaska	3.24	12.30	9.06
Rhode Island	0.77	9.51	8.74

Data for 10 states and Washington, DC, were not available.

Source: Annals of Internal Medicine



\*Screenshot from source. See full-text to access images and additional information.

Supporting Question 3

Featured Source C

“Hispanic Victims of Lethal Firearms Violence in the United States,” *Violence Policy Center*. 2018. (excerpts) Accessed from: <https://vpc.org/>

**Figure 4: Ranking of Homicide as the Leading Cause of Death for General Population, All Races, and Hispanics, 2015**

Race or Ethnicity for Both Sexes, All Ages	Ranking of Homicide, Any Means, Leading Cause of Death
General Population	16
Hispanic	12
American Indian/Alaska Native	13
Asian/Pacific Islander	20
Black	8
White	19

Looking at youth and young adults, however, in 2015, homicide ranked as the second leading cause of death for Hispanics ages 15 to 24. Homicide ranked as the leading cause of death for blacks in this age group, third for American Indian/Alaska Natives, and fourth for both Asian/Pacific Islanders and whites.

**Figure 5: Ranking of Homicide as the Leading Cause of Death, Ages 15 to 24, for General Population, All Races, and Hispanics, 2015**

Both Sexes, Ages 15 to 24	Ranking of Homicide, Any Means, Leading Cause of Death	Percentage of Victims Killed With a Firearm
General Population	3	87%
Hispanic	2	82%
American Indian/Alaska Native	3	75%
Asian/Pacific Islander	4	72%
Black	1	93%
White	4	73%

In 2015, 70 percent of Hispanic homicide victims were killed with firearms. (Because the CDC data does not report what type of firearm — handgun, rifle, or shotgun — was used in the homicide, this question is addressed in *Section Two* of this report using 2015 data from the FBI’s *Supplementary Homicide Report*.) During the period 1999 to 2015, more than two-thirds of all Hispanic homicide victims were killed with firearms (68 percent).

\*Screenshot from source. See full-text to access images and additional information.



## Summative Performance Task

<b>Compelling Question</b>	Who do gun laws protect?
<b>Summative Performance Task</b>	Construct an argument that addresses the compelling question using specific claims and relevant evidence from contemporary sources while acknowledging competing views.

At this point in the inquiry, students have examined supporting questions that examine the intentions and effects of gun legislation in the United States. Each supporting question is designed to provide students with Constitutional, legislative, and statistical information. They record their findings in a written statement, a detailed list, and with an evidence-based claim and counterclaim. They then use this work to build and support their argument.

Students should demonstrate the breadth of their understanding and their abilities to use evidence from multiple sources to support their emerging understandings. The final step requires them to create an argument through writing, debate, or some other venue. In this instance, students' arguments should show variation as each individual grapples with the realities of gun laws and the way these laws affect minority communities.

### Argument Stems

Students' arguments will likely vary, but could include any of the following:

- Although gun laws are created in order to protect individuals from gun violence, in reality gun laws protect only gun owners who are majority White Americans.
- Although the issue of gun violence is complex, gun laws protect both gun owners and individuals as they are created in order to respect the rights of both groups.
- Gun laws protect those in political power. Therefore, gun laws will reflect the interests of those groups in power.

To support students in their argument making, teachers should model how each supporting question builds on the others to construct different ways of answering the compelling question. Teachers should encourage students to use evidence to support their thinking, and to write arguments that are clear, accurate, well-reasoned, and evidence based.

**EXTENSION** To extend their arguments, students have the opportunity participate in a fishbowl discussion that addresses the extent to which gun laws are effective. This exercise is a natural extension of the argumentation process. However, teachers should inform students that this is *not* a debate exercise but rather a discussion. The goal of a discussion is to hear and dissect different arguments and perspectives.

## Taking Informed Action

<b>Action Question</b>	Who do gun laws protect?
<b>Civic Theme</b>	<b>CARE:</b> Students act responsibly to promote the common good.
<b>Action Task</b>	Write a letter expressing your views on gun violence and laws to a legislator whose views oppose your own.

### Structure of Taking Informed Action

Taking informed action tasks have three steps to prepare students for informed, reasoned, and authentic action. The steps ask students to (1) *understand* the issues evident from the inquiry in a larger and/or current context; (2) *assess* the relevance and impact of the issues; and (3) *act* in ways that allow students to demonstrate agency in a real-world context.

Students have the opportunity to Take Informed Action by applying their arguments from this inquiry to an authentic civic task.

**UNDERSTAND** Students research state gun laws and regulations in their state.

**ASSESS** Students identify state lawmakers who support and are opposed to increased restrictions on gun access.

**ACT** To take action, students write a letter expressing their views on gun violence and laws to a legislator whose views oppose their own.

**CIVIC THEME** This task reflects the civic theme of *care building*. When students engage in care building tasks, they recognize their social responsibilities and seek to help others, mitigate harm, and promote the common good. In this inquiry, students investigated the protections behind gun laws. By researching and evaluating gun laws and regulations in their own state, this task allows students to advocate on behalf of laws/regulations that would protect the safety of communities and mitigate harm.

### Note about Ways to Take Informed Action

This inquiry has a *suggested* taking informed action task. Teachers and students are encouraged to revise or adjust the task to reflect student interests, the topic/issue chosen for the task, time considerations, etc.

Taking informed action can manifest in a variety of forms and in a range of venues. They can be small actions (e.g., informed conversations) to the big (e.g., organizing a protest). For this project, students may instead express action by creating a public service announcement (as noted in the extension), organizing a panel discussion, conducting a survey and the like; these actions may take place in the classroom, the school, the local community, across the state, and around the world. What's important is that students are authentically applying the inquiry to an out-of-classroom context. Actions should reach people outside of the classroom.

For more information about different ways students can take action, see: Muetterties, C. & Swan, K. (2019).

Guiding Taking Informed Action Graphic Organizer. *C3Teachers*. Available from:  
<http://www.c3teachers.org/inquiries/civic-action-project/>.