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**Gun Control Resolution: Finding a Common Ground in Mental Health Screenings and Background Checks**

As the Republican and Democratic parties are in the process of choosing a candidate for presidential nomination, gun control is one of the most popular topics of discussion behind the podiums and in households across America. It is no secret that a resolution is needed to reduce gun violence in America. The media’s coverage of mass shootings and violent gun related crimes has pushed the topic of gun control to the forefront. A common ground of resolution needs to be discussed for both the right and left wings, in regards to gun control, while protecting the rights of the American people. While there are many other important issues in the gun control debate, our two main topics of focus are mental health screenings and criminal background checks. The proposed background checks should not be an overnight process, but will require all levels of the justice system to do their part in a timely manner. The government currently uses the [National Instant Criminal Background Check System (NICS)](http://search.ebscohost.com.libdb.dccc.edu/login.aspx?direct=true&db=aph&AN=85623073&site=eds-live), which is completely reliant on the proper documentation of criminal acts. Without each local law enforcement agency immediately giving detailed accounts into the database, a criminal could have their hands on a firearm as early as 3 days after a violent offense. Mandatory background data of the types of offenses, in the context to which the offenses occurred, need to go as far back as possible. This will help to offer a complete understanding of background checks for the purchasing of firearms. Thorough investigation of an individual’s criminal background should determine the eligibility for purchasing a firearm. Though they will not resolve the whole gun violence issue, mental health evaluations and criminal background checks will reduce the frequency of gun related crimes by making it harder for criminals to legally obtain guns.

**Mental Health Screens:**

On the topic of mental health evaluations, let us begin with a quote from Sally Satel in the article **Enforce Mental Health Laws, Don’t Add to Them** she states “the vast majority of people with schizophrenia, bipolar illness and other psychotic disorders are not violent and most violence is not committed by people who are mentally ill (Satel, “Enforce Mental Health Laws, Don’t Add to Them”). With some mental not illnesses easily identifiable, it will be difficult to conclude that mandatory mental health screens would reduce gun related crimes in America. Although we believe that one should receive a mental health screen prior to legal gun purchase, we as a whole do not agree with infringement of privacy. One instance contrary is if an individual shows a past criminal history, but has been approved for gun purchase a mandatory mental health screen will be requested. As one becomes a responsible gun owner, a suggestion of mental health screening should be feasible, and would be an appropriate illustration of gun ownership responsibility. In the article Require Therapists to Warn Authorities of Danger, D. J. Jaffe, an executive director of Mental Illness Policy org. believes if mental health leaves the privacy of doctor to patient, individuals who did seek treatment for lower level issues will no longer seek help they may desperately need.  So in lieu of requiring the mental health screens, we are suggesting optional mental health screenings, for responsible gun owners, so that individuals suffering from mental illness, don’t use this as an excuse not to get help.

**Background Checks:**

Even though we do not agree with mandatory mental health screens, we do believe for every legal gun purchase, one must have a background check. If, as a whole society, we made background checks mandatory, the number of crimes committed by a criminal with a gun would assumingly decrease. Criminal background checks have been implemented in the United States since 1993. “To strengthen Federal firearms regulations, the Brady Handgun Violence Prevention Act of 1993 (Brady Act) required the U.S. attorney general to establish the National Instant Criminal Background Check System (NICS) for Federal Firearms Licensees (FFL) to contact by telephone, or other electronic means, for information to be supplied immediately as to whether the transfer of a firearm would violate Federal or State law.” (National Instant Criminal Background Check System. (2013). *Congressional Digest*, *92*(3), 14-17.)  On January 5th, 2008, President Bush signed legislation after the Virginia Tech massacre that strengthened NICS by requiring national background checks on the federal level. 1.4 million persons have been disqualified from buying firearms (Funk & Wagnalls New World Encyclopedia). To truly understand the checks we are suggesting we need to look at the crime type, context of the crime, and date of the crime. Perhaps, if an individual has had a clean record for X number of years, they may be permitted to purchase a firearm after a mandatory mental health screening has determined competency on the gun purchaser’s behalf.

”As a result of the passage of the Gun Control Act of 1968, certain individuals, such as convicted felons, were prohibited from possessing firearms. The FBI developed the NICS through a cooperative effort with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); the Department of Justice (DOJ); and local and State law enforcement agencies. On November 30, 1998, the NICS, designed to immediately respond to background check inquiries for prospective firearm transferees, was activated.” National Instant Criminal Background Check System. (2013). *Congressional Digest*, *92*(3), 14-17.

Most likely, conservative Republicans will oppose the notion of stronger background checks and mental health screenings, out of a fear of “having their guns taken away.” The Democratic liberals may agree with mandatory mental health screens, but the American people are innocent until proven guilty. Mandatory mental health screens would be unconstitutional, as they would infringe upon US citizens’ 4th amendment right. Mental health screenings should be mandated only to those who have lost their right to practice the 2nd amendment, in the efforts of regaining their right after rehabilitation and a lengthy amount of time maintaining a clean record. As stated by James Alan Fox the Fipman Family Professor of Criminology at Northeastern University, “Over the past decade, the U.S. Congress has, unfortunately, been decidedly gun-friendly, passing measure after measure that limit law enforcement efforts to disrupt the flow of illegal guns into the hands of criminals” (Fox, “Crackdown on Illegal Gun Trade”). The politics are not displaying the effective policies that would dissatisfy their supporters, no matter how relevant.   However, our suggested legislation will work to enforce laws that will keep guns out of the hands of those with malicious intent, while protecting the rights of responsible gun owners. Perhaps another method of reducing gun related crimes would be to increase stricter punishment on those convicted of making straw man purchases. Despite our differences in beliefs, in order for other gun control issues to start moving toward each other on the sliding scale, we all need to meet somewhere between criminal background checks and mental health screens.

Works Cited

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