

Troubled Times, But A Miscued Solution

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Delaware's General Assembly recently voted to ban the sale of firearms labeled as "assault weapons," under House Bill (HB) 450. This includes AR-style rifles, various shotguns, and certain types of pistols, per the bill's definition under § 1465 (see Note 1 footnote below). At the time of this writing, the bill is awaiting Gov. Carney's signature.

The issue of banning these so called "assault weapons" in the first place is flawed logic, and a knee-jerk reaction, as opposed to a practical solution. The shooting tragedies that have occurred (most notably and recently in Uvalde, Texas), have touched every American, and caused all of us to seek answers on how to effectively stop this type of carnage. Since firearms were the instruments used in these senseless deaths, some people believe that removing them from society will solve the problem. However, removing the instrument without effectively addressing the true source of the issue--a person's behavior, is a problem in itself. Here's why:

- In the U.S. in 2020, there were 13,620 murders and manslaughters caused by firearms. An estimated three percent of these involved those firearms dubbed as "assault weapons," which equates to approximately 409 deaths.
- In the U.S. in 2020, there were 5,579 motorcycle deaths. Twenty-five percent involved "sport bikes" which are known for their high speed and maneuverability. Sport bikes were involved in approximately 1,394 of those deaths.
- In the U.S. in 2020, there were 38,824 fatalities due to motor vehicle collisions. An estimated 14% of these crashes resulted from cell phone usage (texting, internet searching, etc.) while driving, which equates to approximately 5,435 of those deaths.

As quantified above, sport bikes and cell phones are instruments used that result in thousands of deaths nationwide. Yet, our Delaware lawmakers have not suggested that either of the forenamed be banned. In fact, we've not even seen legislation proposed to effectively reduce the lethal behaviors enacted by these instruments, in an effort to curb these senseless deaths. Why?

A conclusion that could be drawn is because the current reigning majority of our General Assembly just doesn't like citizens having such "dangerous looking" rifles, pistols and shotguns. There have been some who have publicly (yet clearly mistakenly) dubbed the "AR" in AR-15 as "Assault Rifle" or "Automatic Rifle," thus giving these firearms another lethal connotation. This lack of knowledge, and attempt at demonizing this rifle, promotes increased public outcry against these firearms. By the way, the "AR" stands for ArmaLite, named after the first company that manufactured these lightweight, small-caliber rifles. They have less recoil and are easier to carry than traditional-type rifles, which is a major reason they are popular among hunters and sportspeople.

Another significant problem is that instead of listening to current legislators who have a learned background in firearms, along with other field experts, the majority of our General Assembly members choose to dismiss such intellect, primarily to suit their own agenda. Instead, they invoke emotions from horrible active shooter incidents, and embellish the reality of what an armed

citizenry in the U.S. truly represents, thereby passing laws that gnaw away at the Second Amendment.

Contrary to these narrow beliefs that they attempt to push on our society, an armed citizenry is not dangerous nor radical; rather, it's protective and beneficial. On multiple occasions throughout history, various events have shown why our nation's founders did, in fact, include the Second Amendment in the Bill of Rights. It is no less, nor more, important than any of our other rights enumerated in the U.S. Constitution. Nonetheless, it is a right.

When HB 450 becomes an effective law in Delaware's Criminal Code (Title 11), current owners of those firearms listed as prohibited will need to provide proof of purchase when they transport them to the range or other venues. Otherwise, the firearm may be seized, pending proof by the owner of its purchase date. This is a problem.

Current owners of such firearms may have purchased them years ago, and do not have a receipt. Moreover, the firearms dealer from whom a particular firearm was purchased may not be in business any longer. This begs the answer to three questions: 1) How does the "assault weapon" owner now prove his/her purchase date? 2) What happens to the seized firearm in the meantime? 3) What will be the ownership status of the seized firearm if the legal owner cannot acquire a proof of purchase?

There are also additional questions, as an afterthought-- Was a semblance of cogent thought given to any of these concerns before the sponsors of this bill pushed it so expeditiously to the governor for his signature? Were the Constitutional rights of law-abiding firearms owners ever taken into consideration by those who support this bill?

The answer is no, on both counts. The solution begins this November, in the election booth.



Note1:

<https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocument?legislationId=109607&legislationTypeId=1&docTypeId=2&legislationName=HB450>