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Diana DeGette

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WHEN THE UNTHINKABLE BECOMES ROUTINE

BY DIANA DEGETTE*

INTRODUCTION¹

Firearm violence has become an everyday event, even expected in some cities. The escalation of this violence is not measured merely in terms of geography, race, or social class. Now, we are aware that many of our children have embraced this violence, and many more children are threatened by it.² One year ago, two students planned, initiated, and executed a complex, systematic attack on their classmates at Columbine High School. One year later, the shock of that event still reverberates around the country and around the world.

We now know there are no safe zones.

A year ago, some said that Columbine was an isolated incident, the result of a unique set of variables that would not be replicated elsewhere. They were wrong. Students and their families in other states have confronted their own tragedies when their schools become killing fields. Those of us who harbored the illusion that children were somehow exempt or protected from violence were blind. One study showed that one in four young people report that they have been victims of violence.³ Another study found that children aged 12-17 are nearly three times more likely than adults to be victims of violent crime and to experience a crime-related injury.⁴

Of course, some would say that the use of guns in these violent assaults is a new phenomenon, making the death of children front-page news. Approximately 14 children every day die in America from gunfire, about one child every two hours.⁵ Gunfire kills approximately 5,000

* Member, United States House of Representatives.

1. This article was adapted from remarks made at the Columbine Symposium held at the University of Denver College of Law, March 25, 2000.

2. See Peter Slavin, *Child. & Guns: Gun Violence Has Become a Child Welfare Issue*, 9 CHILD. VOICE: THE CHILD WELFARE LEAGUE OF AM. 4-7, 36-37 (2000). See also, CHILD. DEF. FUND, JUV. JUST. & YOUTH DEV., THE STATE OF AM. CHILD. Y.B. 107-28 (1999).

3. M. D. Resnick, et al., *Protecting Adolescents From Harm: Findings From the Nat'l Longitudinal Study on Adolescent Health*, 278 JAMA 823-34 (1997).

4. MELISSA SICKMUND ET AL., CTR. FOR JUV. JUST., JUV. OFFENDERS & VICTIMS: 1997 UPDATE ON VIOLENCE 4 (1997).

5. "It shouldn't take a Columbine, a Jonesboro or an inner city drive-by shooting to make us realize that American children are more at risk from firearms than the children of any other industrialized nation. In one year, firearms killed no children in Japan, 19 in Great Britain, 57 in Germany, 109 in France, 153 in Canada, and 5,285 in the United States." Handgun Control, *The School Shootings ... and Beyond: Kids & Guns in America*, available at

children annually, which is roughly equivalent to one Columbine tragedy every day.

Others might argue that the major difference in the past year is that children are using guns. In fact, guns are available to children and they are using them. About 70 percent of the victims of juvenile homicide offenders were killed with guns.⁶ Ten percent of the victims were family members.⁷ Another 54 percent were acquaintances of the juveniles who were using the weapons.⁸ Juveniles who have been arrested are more likely to have used a gun in committing a crime than adults who have been arrested.⁹ That phenomenon is troubling and unacceptable, whether it is new or not.

These statistics tell a story by giving us trends and analysis. Even one death is too many. Underneath the statistics are horrifying stories where tragedy overwhelms innocence, even for the very young. What do we make of the death of six-year old Kayla Rolland, who was shot by a classmate in a classroom? What do we tell the mother of my own six-year-old daughter's classmate who asked for an explanation? What do we tell that child? How do we explain the unthinkable?

We look for answers. We demand action. Parents and students have made gun control a pervasive priority. The Columbine Clock, which you can find on several congressional web sites, records the minutes and hours since that tragedy. That clock is a symbolic statement of the impatience and anger of people who want solutions.¹⁰ Ultimately, as the minutes tick by, the anger turns to disappointment, which leads to feelings of abandonment and cynicism.

<http://www.handguncontrol.org/facts/ib/kidsnguns.asp>. The Centers for Disease Control reports "For every child killed with a gun [in the United States], four are wounded. . . . [T]he rate of firearm death of children 0-14 years old is nearly *twelve times* higher in the U. S. than in 25 other industrialized nations combined." *Id.* For the full scope of firearm violence in the United States. See NAT'L CTR. FOR HEALTH STATS., HEALTH, UNITED STATES, 1998, Table 49, 256-58. The death rate for all ages has remained constant from 1970-1996.

6. SICKMUND ET AL., *supra* note 4, at 12.

7. *Id.*

8. *Id.*

9. Deborah Prothrow-Stith, former Assistant Dean of Harvard School of Public Health has noted, "When the Massachusetts Department of Public Health and the Boston Police Department organized a task force to combat adolescent violence, kids bragged to the members how easy guns are to obtain. They said they get guns 'at home' - not surprising when half the households in the nation contain firearms. The kids said they take guns off the top of their parents' dresser or out of the bureau drawer. They said they borrow them, steal them, or buy them for twenty dollars." DEBORAH PROTHROW-STITH, M.D. & MICHAEL WEISSMAN, DEADLY CONSEQUENCES 18 (Harper Collins 1991).

10. See website of Representative Rosa DeLauro (D-Conn.), at <http://www.house.gov/delauro>.

THESIS

I believe there are some common sense solutions that can change this environment. We can change our culture of weapons and crime. We must act together as a community, with each person doing his or her part. The reasons for firearm violence are complex and intertwined. We cannot fit every case into a pre-determined box, nor does each instance beg for one clear-cut solution. There are dozens of factors that might contribute in different ways to tragedy. For those engaged in the blame game, there is enough blame to go around – which is another way of saying that blame has been diffused and fractured enough to make any assessment impotent. But blame won't help us craft legislation, heal our communities, protect our children, or stop the Columbine Clock, which keeps on ticking. It would be irresponsible and dangerous to try to shove each incident of juvenile firearm violence into one or two convenient categories. We must recognize that each person is part of the solution. Each of us has a role to play and each one of us must search for every available way to make a valuable contribution to safe schools and a safe community.

A. A Nation of Weapons

Solutions must embrace the entire community; otherwise, they will surely fail. The odds against success are high, but I believe they can be overcome.

Let me explain a sobering national reality. The Census Bureau is now counting the number of American citizens for purposes of profiling population trends, economic circumstances, and political representation. You and I can conduct a similar census, a count of weapons. Licensed firearms dealers sell 7.5 million guns annually, of which 3.5 million are handguns.¹¹ There are an estimated 30-50 million unregistered handguns in this country.¹² For those without weapons, there is a thriving black-market with no background checks for guns from unregistered dealers, a fact recently conceded by the National Rifle Association (NRA). Gun shows provide another avenue of access to weapons. Then, there are those adults who leave guns around for children to take and use on classmates, friends, or relatives. There are television programs and movies that gorge us with violence, functioning as schools for the use and abuse of weapons. There is a declining and fractured moral climate, where many people are more motivated by self-interest than the public interest, and worse, where some people have no morality at all and

11. Estimates provided to my office by the Bureau of Alcohol, Tobacco & Firearms.

12. The estimates vary widely. For example, Handgun Control estimates that there are 65 million privately owned handguns in the United States. Handgun Control, *Firearm Facts*, at <http://www.handguncontrol.org/research/progun/firefacts.asp>. See also DIRECTORATE DEP'T OF JUST. CANADA, A REV. OF FIREARM STATS. & REGS. IN SELECTED COUNTRIES: RES., STATS. & EVAL. (April 25, 1995) ("According to data from the Bureau of Alcohol, Tobacco & Firearms, there were 222 million firearms in possession of citizens in the U.S. at the beginning of 1994. 76 million of the firearms in circulation were handguns.")

loudly condemn anyone who tries to learn right from wrong. Some parents expect the schools or the churches to teach morality, while the schools and churches claim they cannot effectively substitute for parents. Everyone looks to legislators for solutions, but legislators can only provide a piece of the puzzle. It is almost a mathematical certainty that children can acquire weapons and use them. Events like Columbine High School become inevitable unless there are many strong countervailing forces at work.

Consider, too, the legislative paralysis on gun control. The public is demanding a legislative response, but strong lobbying efforts by the NRA, the most potent and well-financed lobby in Washington, have thwarted congressional attempts at common sense solutions, including child safety locks, closing the gun show loopholes,¹³ or banning importation of large capacity ammunition magazines.

I predict that we will see more acts of violence in and near schools, and at an increasingly accelerated rate, unless we immediately take substantial actions to protect ourselves from these acts of violence.

While I agree with those who want policy makers to act, we are only part of the solution. One parent or one act of Congress will not solve the overwhelming odds of firearm violence by children. There must be a concerted effort in the home, on the streets, in the churches, on television, in movies, in Congress, in the schools, on the Internet, and anywhere else children might be influenced or guns might be made available to those who want to engage in violence.

B. *Common Ground*

There is some common ground for those willing to engage in rational choice. We all agree that the current laws must be vigorously, methodically, and comprehensively enforced. The NRA has recently stated that we need to enforce the laws,¹⁴ a self-evident fact. I agree. This is a precondition to other actions, because all Americans assume that the laws will be enforced.

However, enforcing current laws is not the only solution. Those laws still contain significant loopholes, some created by NRA action and some perpetuated by NRA opposition to background checks.¹⁵ These loopholes must be closed. The NRA was, and remains, opposed to any kind of legislation to register guns, control the sale of handguns, or restrict the use of firearms. Their opposition is anchored in a steadfast belief that the

13. See Handgun Control, *NRA Hypocrisy Exposed: New Report Details the NRA's Shameful Legacy of Weakening Our Gun Laws* (March 21, 2000), available at <http://www.handguncontrol.org/press/hci/032100.html>.

14. *Id.*

15. *Id.*

Second Amendment provides support for their views.¹⁶ However, the NRA understands that its position may be slowly eroded away, bit by bit, as public opinion demands some legislative restrictions, and the courts uphold those restrictions. Recently, the NRA asks us to forget that it violently and categorically opposed this legislation and that it still does.¹⁷ The NRA asks us to forget the loopholes in this legislation that make it less effective.¹⁸ The NRA asks us to forget the millions of unregistered weapons and the misuse of registered handguns. The NRA even asks us to forget about its long fight against funding enforcement of current laws by the Bureau of Alcohol, Tobacco & Firearms. Rather, we are now to place the burden for armed crime on prosecutors, police officers, and judges, who now stand accused of not doing their jobs. I do not agree that law enforcement officials have been negligent, but if they are, then, yes, we must rigorously enforce the laws. That is imperative. But the NRA cannot waiver from this position without exposing what might be their true objective, blocking any attempt at new legislation.

The NRA and its critics have much common ground. We now agree that guns should only be in the hands of responsible, fully licensed, legal owners. Criminals and children should not own guns. We disagree on solutions. In my view, guns should not be purchased without a background check, as now happens at gun shows. It also means that child gunlocks make sense, because only the rightful owner should have the key.

Given this disagreement, I have to ask: at what point will the NRA recognize the need for further legislation? How many children must die? How many Columbine High Schools? How many Kayla Rollands? What is the threshold for recognizing that there are too many unregistered guns? What would have to happen before safety locks are installed or gun show loopholes are closed?

If the answer to these questions is that the NRA will never, under any circumstances, work for positive change, then we know that their advocacy for a nation of guns will continue at any price as they overlook a horrible reality that is getting worse.

I would much prefer that the NRA and gun control groups expand their common ground and work together. For example, I was heartened by the cooperative efforts in Denver of Project Exile, a tough initiative to enforce existing federal laws. I want to commend U.S. Attorney Tom Strickland for initiating the first step. Mutual antagonism does not serve

16. "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" United States Constitution, Amendment II [1791].

17. *See Handgun Control*, *supra* note 13.

18. *See id.*

the public interest. It sets the stage for further tragedy, as each passing day more of our children fall victim to firearm violence.

WHAT CAN BE DONE?

For those willing to work together, much can be done. Congress must limit the availability of weapons to kids and criminals, and make available weapons safer. Parents, neighbors, clergy, schools, student leaders, public health officials, law enforcement personnel, and the entire community have a role to play. Firearm manufacturers must be involved too. Everyone must be involved. There are no easy answers, and all of these answers will not stop every act of violence. But if we can minimize the risk and reduce the probability of firearm violence, then we might save one child, or ten, or a hundred, or a thousand each year. And, just one child's life should motivate us.

A. Congress

Of course, Congress must undertake several actions, each of which would be a valuable addition to the laws we already have. In combination with those laws, we would have a more effective and credible legal bulwark against juvenile firearm violence.

We can accomplish much on the national level. For example, re-authorizing the Juvenile Justice Act would address many of the causes of violence, such as delinquency and juvenile violence.¹⁹ The Act would provide grants to states for housing of runaways, de-institutionalization of status offenders (juveniles confined for offenses that would not be punished if committed by an adult), provision of separate housing for juvenile and adult offenders, and reduction of the disproportionate rate of incarceration of minority juveniles.²⁰ The Act provides funds for community policing, verification of probation, youth services programs, broad-based community efforts to identify and assist at-risk youth, and local reduction of juvenile firearm violence.²¹

Congress should also pass common sense, gun safety legislation. I have supported closing the loophole which allows the purchase of a weapon at gun shows without a background check from unlicensed deal-

19. Juv. & Delinq. Prevention Act of 1974, Pub. L. No. 93-415, 88 Stat. 1109 (1974) (codified as amended at 42 U.S.C. § 5601 (1974)). See also SUZANNE CAVANAGH & DAVID TEASLEY, CONG. RES. SERVICE, JUV. JUST. ACT REAUTHORIZATION: THE CURRENT DEBATE (updated June 11, 1999). The Act expired on Sept. 30, 1996. Two bills have been introduced to reauthorize the Act: S. 254 and H.R. 1150. The Senate passed an amended version of S. 254 on May 20, 1999 and, after removing the existing language of a third bill, H.R. 1501, inserted the language of S. 254 into that bill. On June 17, 1999, the House passed H.R. 1501as amended. Both the House and Senate versions appear to have died in conference.

20. Violent & Repeat Juv. Offenders Accountability Act of 1999, S. 254, 106th Cong.

21. A Bill to Regulate the Sale of Firearms at Gun Shows, H.R. 902, 106th Cong. (1999).

ers.²² Many juveniles have purchased guns in this way. Some of the guns used at Columbine were purchased at these shows. The loophole makes no sense. The gun is just as deadly whether purchased at a shop or a show. A criminal with a history of violence cannot legally buy a gun at a pawnshop or a gun shop without a background check. Yet, that same criminal can purchase a gun without a background check at a gun show and walk out with the weapon that very day. We know the price for such a loophole here in Colorado, so I have little patience with those who argue for this difference without a distinction.

Unfortunately, some manufacturers are more concerned with profits than safety. In 1994, Congress banned the production of large-capacity, assault-style magazines.²³ These magazines, or clips, allow the shooter to rapid-fire as many as 30 bullets without reloading. However, Congress exempted high-capacity ammunition magazines manufactured before September 1994.²⁴ Manufacturers from China and Russia have sold these magazines in the United States, contrary to the spirit of the legislation. We need to put an end to these uncontrolled imports by banning them. Along with California Senator Diane Feinstein, I introduced legislation two years ago, and again this session, to establish such a ban.²⁵ When the legislation stalled, I launched a petition drive in Congress to bring this resolution to a vote. I am still waiting for the vote and the Columbine Clock is still ticking.

We should also pass legislation to require child-safety locks on guns. This low-tech and inexpensive device would render a gun inoperable without the key. Locks should be required for all newly manufactured firearms; privately owned guns that can use such a device should be retrofitted.

Also, there is much that can be done on the state level. The Colorado legislature should act now to pass common sense gun safety legislation.²⁶

22. *Id.*

23. Violent Crime Control & Law Enforcement Act of 1994, § 110103, Pub. L. No. 103-322, 108 Stat. 1796 (1994).

24. *Id.*

25. A Bill to Ban the Importation of Large Capacity Ammunition Feeding Devices, and to Extend the Ban on Transferring Such Devices to Those That Were Manufactured Before the Ban Became Law, H.R. 1037, 106th Cong. (1999). The legislation was referred to House Subcommittee on March 18, 1999.

26. For example, the Colorado State Legislature could pass A Bill for an Act Concerning Prohibition of the Negligent Storage of Firearms, H.B. 1197, 62nd Gen. Assem., 2nd Reg. Sess. (Colo.); A Bill for an Act Concerning the Prohibition of the Purchase of Handguns at Gun Shows by Persons Under Twenty-one Years of Age, and Making an Appropriation in Connection Therewith, H.B. 1220, 62nd Gen. Assem., 2nd Reg. Sess. (Colo.); or A Bill for an Act Concerning a Requirement of Criminal History Background Checks in Connection with the Transfer of Firearms at Gun Shows, H.B. 1242, 62nd Gen. Assem., 2nd Reg. Sess. (Colo.). Each of these bills was introduced in January 2000 but none has been passed by the Legislature, despite bipartisan support. [Editor's Note: Colorado voters approved a measure closing the gun show loophole in Colorado by referendum on Nov. 7, 2000.]

They can follow the example of Pennsylvania, where the state legislature enacted a law requiring all guns purchased from licensed dealers to be equipped with trigger locks.²⁷ California has passed bills to limit handgun sales and strengthen the assault weapons ban.²⁸

B. *Parents*

However, Congress can only do so much. This problem is bigger than Congress' ability to legislate a solution. We must look to everyone in the community for active assistance. For example, parents must be more than just stewards, housekeepers, chauffeurs, or roommates. We must be parents. Parents have a responsibility to supervise, educate, guide, and mold their children. They must know where their kids are, what they are doing, and where they are spending their money. This is a greater challenge now that the Internet provides an unlimited number of opportunities to purchase items that were relatively difficult to get ten years ago. In the last half of the previous century, parents abandoned their children to the wasteland of television. In our new century, we must not make the same mistake with the arid regions of the Internet. Parents must also teach values, morals, and ethics to their children. They must credibly and persuasively stress non-violent resolution to conflicts. All of these demands place greater pressure on parents, but parents are the most important deterrent to violent crime by children.

C. *Neighbors*

Dr. Martin Luther King, Jr. once said that "We are all caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."²⁹ That is why our friends and neighbors are also vital players in creating safe havens for our children. A neighborhood is a collection of families. When one family fails to supervise their children, other children might be caught in the riptide of social and criminal problems that result. We can be good neighbors by looking out for the safety of each child, by offering advice to children in need, and by working to keep the neighborhood clean from drug use, alcohol abuse, and crime.

City governments can also work to provide young people with positive options that promote education and personal growth. We have all heard of the success of "Midnight Basketball" leagues sponsored by city and county governments. A wider variety of options would also be help-

27. 1999 Pa. Laws 59.

28. A.B. 202, 1999 Leg., Reg. Sess. (Ca. 1999); and S.B. 23, 1999 Leg., Reg. Sess. (Ca. 1999). The former legislation concerns limitation of handgun sales; the latter deals with strengthening the assault weapon ban.

29. MARTIN LUTHER KING, JR., *A Christmas Sermon on Peace*, December 24, 1967, in A TESTAMENT OF HOPE: THE ESSENTIAL WRITINGS & SPEECHES OF MARTIN LUTHER KING, JR. 253, 254 (James Melville Washington ed., Harper & Row 1986).

ful, such as those that promote computer skills, job-oriented education, critical thinking skills, and non-violent conflict resolution.

D. *Clergy*

Our clergy are opinion leaders and shepherds in our communities. They are often the strongest advocates against firearm violence. The clergy understand the dangers lurking in our neighborhoods and the immense pressures on our children and parents. They can continue to unite our neighborhoods against firearm use and violence, and the community can provide more forums for clergy to deliver this important message. I have often told my colleagues that politics requires use of the "bully pulpit." More to the point, this is one issue where anti-gun advocates and the clergy have a common cause. We must forge a stronger, more vocal alliance between gun control advocates and the clergy to provide a powerful message against firearm violence.

E. *Schools*

Our schools have been the focus of much discussion in the last year. While some of the criticism leveled against our schools has been unfair, parents and taxpayers must expect certain standards. First, our schools must be safe for students. If they are not, then we must make them safe.³⁰ It takes courage for an administrator to admit the infiltration of drugs, alcohol, guns, or gangs, but there is a paradox here. If a school administrator admits the school is less than safe, parents often retaliate against the messenger and not the message. I would argue that we should simply assume that every school has the same concerns and take the appropriate steps to root out these problems. School administrators and teachers should ensure that adult gang members, drug dealers, and weapons salespeople are not allowed to prey on our children at school.

F. *School Leaders*

Students themselves also have a role to play. Many high school students admit that the threat of violence hangs over their school. Many students know and fear gang leaders. Many students know those who have guns or claim to have access to guns. Student leaders and student councils can suggest and implement actions to create non-violent alternatives.

Any student initiative must involve all ethnic and socio-economic groups. Students must reach out to those who are isolated or outcast among their classmates. Friendship and understanding might be our most

30. See generally TANGELA G. ROE, CONG. RES. SERVICE, *SCH. VIOLENCE & SECURITY: SELECTED REFERENCES* (updated October 9, 1997) (citing references related to the problem of school violence).

important steps in preventing school violence. Peer support programs can be among the most effective ways to identify and dissipate conflict.

Lawmakers will listen to students, if students are organized and diligent. I was pleased to see 94 students from Colorado, including some from Columbine, come to Washington to discuss gun control with members of Congress. Their eloquence and commitment made a lasting impression on lawmakers, even on those who disagreed with them or refused to meet with them. Their presence spoke volumes.

G. *Health Professionals*

The American College of Pediatrics recently asked its members to talk to young patients about gun availability in the home and to counsel against using firearms.³¹ I applaud that action. The United States Department of Health and Human Services and a succession of Surgeon Generals have argued for years that firearm violence is a public health problem of epidemic proportions.³² I agree. We need to enlist doctors, nurses, physician assistants, medical educators, and others to speak out against firearm violence and to aggressively address the causes of violence. Addressing poor health, illegal drug use, alcohol abuse, poor diet, substandard living conditions, poor parenting, and other factors might eliminate the need or motivation for violence. In addition, we must give children appropriate psychological services. Many studies show that run-aways and victims of violence in the home experience a variety of psychological challenges. We need to make certain that such services are available to children in need and that parents are not afraid to enter their children in these services.

I have advocated even more research on drug addiction and mental health services within the National Institutes of Health and the Substance Abuse and Mental Health Services Administration. We have a public duty to support this research and make the results widely available to parents and the medical community.

H. *Law Enforcement Officials*

Community policing has proven to be a deterrent to crime, but the physical presence of police officials in the community is of greater value. When a police officer is known and respected by neighbors, there is a greater sense of community and neighborhood pride. Children learn to admire and to listen to police officers. They also learn respect for the law. But, in neighborhoods abandoned to criminals, children learn to admire car thieves, drug dealers, and others who break the law. I know

31. Am. Acad. of Pediatrics, *AAP Addresses Firearm-Related Injuries Involving Children*, issued April 3, 2000, available at <http://www.aap.org/advocacy/releases/aprfir.htm>.

32. See, e.g., Louis Sullivan, *Violence as a Public Health Issue*, 265 JAMA 2778 (1991), and Antonia Novello, et al., *A Medical Response to Violence*, 267 JAMA 3007 (1992).

one friend who lived on Capitol Hill in Washington. He asked his neighbor's child, "What do you want to be when you grow up?" The child answered, "I want to fence stolen goods, like Bob." Bob was the neighborhood fence. Children need to interact with police officers to see them as admirable, human, and caring. Otherwise, children will merely see these officers and the laws they enforce as "the enemy."

I. *Community Initiatives*

Questions remain about whether these individual and collective actions are effective. Examples indicate community initiatives are a positive step in the right direction. In Boston, collaborative efforts among the clergy, law enforcement personnel, and school officials reduced the number of juveniles killed by guns from ten a year to zero over an 18-month period.³³ In Los Angeles, comprehensive efforts to reduce gun violence resulted in the number of homicides dropping by 29.3 percent in the first six months of 1998 compared to the same six months in 1997.³⁴ In cities in northern California, an anti-violence alliance between law enforcement officials and school districts had a startling impact.³⁵ In Richmond, the number of homicides dropped by 75 percent between 1992 and 1998.³⁶ In Oakland neighborhoods participating in a gun abatement program, the number of homicides dropped by 50 percent over a five-year period between 1993 and 1998.³⁷

J. *Weapons Manufacturers*

Weapons manufacturers could do much more to ensure safer use of their product. While no impediment is foolproof, some actions would make it much harder to use guns to commit violent crime. For example:

- Signature guns could only be fired by the owner whose fingerprints are recorded in the handle.
- Magazine locks on automatic pistols block the loading mechanism.
- Electromagnetic locks require time delays and personalized codes.
- Magnetic locks need the owner's special ring to remove the blocking device inside the grip panel.
- Key locks are cheap and effective, provided the owner keeps the key away from children.

33. "Child's Def. Fund, *Lowest American Gun Death Toll for Children Since 1989*. 19 CDF REP., Oct. 1998, at 2.

34. *Id.*

35. *Id.* at 16.

36. *Id.* at 14.

37. *Id.* at 16.

- Combination locks are even safer.

Technology might help address many of the issues we confront today. Until we see what kinds of weapons are made in the future, we must assume that the actions under discussion today will remain relevant for the foreseeable future. Some claim that so-called "smart guns" are a way out of the "gun impasse."³⁸ An estimated 500,000 weapons are stolen every year.³⁹ Smart technology would render these weapons harder, if not impossible, to use.⁴⁰

I was pleased to see that Smith & Wesson agreed in March 2000 to a broad package of safety measures and restrictions on gun sales.⁴¹ The company has agreed to provide, within 60 days, external locking devices with all the guns it sells.⁴² They agreed to design handguns within 12 months that children under six cannot readily operate.⁴³ Smith & Wesson also agreed to include, within 36 months, authorized user technology, such as fingerprint action in all new model firearms.⁴⁴ This technology would not include collector and curio types of guns.⁴⁵

Other gun manufacturers might follow the example set by Smith & Wesson.⁴⁶ According to the *Washington Post*, this is the "first time that a major player in the nation's gun industry has voluntarily entered into an accord with the government and accepted specific obligations and restrictions in its activities."⁴⁷ This responsible and unprecedented move is most welcome and encouraging. I strongly urge other gun manufacturers to work to introduce smart technology. Such an action would serve both their own best interests and those of our children.

CONCLUSION

We face a profound and deadly problem. I fear that we will fail to address it adequately as a nation. Guns are available, the culture prizes violence, there is a political blame game, and Congress is unable to pass adequate measures to halt the flow of guns and ammunition. These factors indicate that we might lack the will to overcome the powerful forces that threaten the safety of our children.

38. See Lorraine Adams, *Technology: A Way Out of Gun Impasse?*, WASH. POST, March 19, 2000, at A3.; and Edward Walsh & David A. Vise, *U.S. Gunmakers Strike a Deal; Smith & Wesson Plans Safety, Sales Steps; Suit Threats Dropped*, WASH. POST, March 18, 2000, at A1.

39. Adams, *supra* note 38.

40. *Id.*

41. *Id.*

42. *Id.*

43. *Id.*

44. *Id.*

45. *Id.*

46. *See id.*

47. Editorial, *Smith & Wesson's Smart Move*, WASH. POST, March 19, 2000, at B6.

But, we can have some hope if we can energize and unite our citizens in an unprecedented political force for common sense gun legislation. Commitment to this objective will require us to find the will, the courage, and the vision to set aside the differences that divide us. We must stress the over-riding commitment we have to our children's safety. We need more than simple, one-dimensional solutions. We need to look beyond Congress. We need an effort from the entire community.

Aristotle was the first great student of politics. He often discussed our inherent need to form social institutions and to craft a polity, a political institution that involves all citizens. He noted that a polity only works when it reaches out to every citizen, using the art and skill of each person and leaving no one behind.⁴⁸ Aristotle said that a city must be "temperate, and brave, and able to endure."⁴⁹ It must have justice, virtue, and harmony. It must prize rationality and virtue.⁵⁰ It must do this because the city must provide a peaceful environment for leisure, philosophy, and the raising of children.⁵¹ Aristotle warned that "anger and wishing and desire are implanted in children from birth, but reason and understanding are developed as they grow older."⁵² So a city must offer protection and guidance for children, leading them to wisdom and compassion.⁵³ These goals can be accomplished only when each citizen assumes a responsible role in the polity.⁵⁴

We know that Colorado has become the epicenter of this debate after the shattering, seismographic events at Columbine High School. We can emerge from the devastating horror of this event and lead Colorado and the nation toward a safer, saner environment for our children.

48. ARISTOTLE, *THE POLITICS, THE BASIC WORKS OF ARISTOTLE*, BK. VII, CH. 15, at 1299 (Richard McKeon ed. & Benjamin Jowett trans., Random House 1941).

49. *Id.*

50. *Id.*

51. *Id.* at 1300.

52. *Id.*

53. *Id.*

54. See J. L. ACKRILL, *ARISTOTLE THE PHILOSOPHER* 155 (Oxford University Press 1981), and JUDITH A. SWANSON, *THE PUBLIC & PRIVATE IN ARISTOTLE'S POL. PHIL.* 205-06 (Cornell University Press 1992) (discussing the need for individuals to use the resources of both the public and private realms for the good of the public order).

