



## Talking Points on Guns, Public Health and Mental Illness

In the wake of a series of gruesome mass shootings perpetrated by individuals who legally acquired their murder weapons, Americans are questioning why our current background check system allows those with a history of mental illness and violence to so easily obtain firearms.

Universal background checks are the lynchpin of any successful system designed to prohibit individuals who have proven to be dangerous from accessing firearms. Evidence, however, suggests that there are serious gaps in the current federal standards for gun buyers. In addition to the current prohibited categories (i.e., convicted felons, fugitives, those under an active restraining order, individuals who are involuntarily committed to psychiatric care, etc.) there are other dangerous behaviors that indicate an elevated risk of harming one's self and/or others. Federal prohibited categories should be updated to reflect the best available evidence on predictors of future violence.

**That said, a single-minded focus on mental illness is misguided.** Mental illness only accounts for about 4% of violence within the United States and individuals with serious mental illness are in fact more likely to be victims than perpetrators of violence. **No policy should stigmatize individuals with serious mental illness or discourage them from seeking mental health treatment.**

**Decades of research have identified various behaviors that indicate an elevated risk of violence:**

- Mental illness, especially depression, significantly increases the risk of suicide. While most suicide attempts do not involve guns, research conclusively shows that easy access to firearms increases risk of suicide. In the United States half of completed suicides are completed with firearms these suicides account for the majority of gun deaths in the United States.
- Some individuals with serious mental illness, especially those with substance or alcohol abuse disorders and those who have been involuntarily committed for treatment, pose

a heightened risk to themselves and/or others when they are experiencing acute exacerbations of their illness.

- Past violent behavior is a strong predictor of future violence, regardless of a diagnosis of mental illness. Individuals convicted of crimes of violence—including misdemeanors—are at increased risk of committing future violent crimes.
- Domestic violence increases the risk of firearm violence. Most victims of intimate partner homicide are killed with a gun and there is as much as a five-fold increased risk of intimate partner homicide when an abuser has a firearm.
- Substance abuse increases the risk of committing violence. Alcohol abuse and illegal use of controlled substances increase the risk of violence toward self and others.

**Using this evidence, we can improve the existing background check system:**

- Currently, individuals convicted of felony offenses are prohibited from purchasing and/or possessing firearms. But those convicted of violent misdemeanor offenses like assault and battery are not. Past violent behavior is the best predictor of future violence, and evidence demonstrates basing firearm prohibitions on a conviction of a violent misdemeanor not only reduces overall arrest rates but also reduces gun crime.
- Federal disqualifications based on mental illness are both over and under inclusive in who is prohibited from accessing a firearm. This process could be clarified by designating that a federal disqualification follows any judicial order for civil commitment. Concurrently, restoration policies must provide a fair opportunity for individuals to have their rights restored when they no longer pose a significant risk of harming themselves or others.
- Individuals convicted of misdemeanor crimes of domestic violence as well as those under active domestic violence restraining orders are prohibited from accessing firearms. However, a victim is at this highest risk for violence during the time when a temporary restraining order is in effect. Federal firearm prohibitions should acknowledge this increased risk of intimate partner violence and prohibit respondents during this time.

**By focusing on past dangerous behavior instead of a diagnosis of mental illness, we can strike a balance between a commitment to public safety and respect for the privacy of persons dealing with serious mental illness.**