

## **First Monday 2000**

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In 2000, the American Bar Association was pleased to work in collaboration with First Monday, an annual, national campaign of the Alliance for Justice promoting education and action in the public interest. Since 1994, law students, law firms, and bar associations have participated in organized events on the first Monday in October to coincide with the opening of the US Supreme Court term. These First Monday events feature a 30-minute documentary directed by an award-winning filmmaker to provide an educational perspective on a different public interest issue each year and to present inspiring examples of advocacy in that field. Speakers following the film spark discussion of opportunities for local public interest advocacy from varying perspectives. The First Monday program does not itself endorse or advocate any specific policy or legislation. First Monday has focused on a different justice issue every year, including immigration and housing and homelessness. First Monday focused on the issue of gun violence in the year 2000. It was an unprecedented opportunity for bar leaders to join with fellow community leaders from other fields, as not only the nation's law schools, but medical schools and graduate schools of public health, nursing and social work participated that year.

### **First Monday 2000: A Challenge for the Next Generation of Leaders to End Gun Violence in America**

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The problem of gun violence in our country presents a challenge worthy of a new generation's leadership, like that of the environment and civil rights for earlier generations of young people.

That is the premise of a remarkable national "town hall" event, which will take place October 2. On that date, students in the nation's law and medical schools, as well as its graduate schools of public health, nursing and social work will gather across the country to focus on the gun violence plague which haunts our country. Also, in Chicago, Washington, D.C., New York, Boston and about a dozen other cities, there will be large citywide events involving representatives of the entire community affected by gun violence, including victims and their families, emergency room physicians, prosecuting attorneys and elected officials. The program is called "First Monday" to coincide with the opening of the term of the U.S. Supreme Court, and has been organized by the Alliance for Justice. The American Bar Association is proud to be a part of this effort.

Despite six straight years of declining crime rates - firearm deaths down in 1998 by 5 percent to 30,708 nationwide - the U.S. rate of firearms homicide, suicide, and accidental death remains dramatically higher than in any other industrialized society. Nearly nine

out of ten killings of young people in the industrialized world occur in the U.S., and the overall firearm-related death rate among U.S. children aged less than 15 is nearly 12 times higher than among children in the other 25 industrialized countries combined, according to recent United Nations reports.

The ABA believes that the next generation of leaders should think about setting much higher goals than are being talked about by our leaders at present. We should set our sight on achieving a dramatically safer society, one in which citizens in the U.S. are as safe from gun violence in their daily activities - at home, at school, on the job, or in the community - as citizens in other countries. How will we create a future American society that is much safer?

The gun lobby promotes a vision of a future American society in which gun violence is to be addressed primarily by still more guns, a society in which individuals in all walks of life would be armed with concealed handguns. They maintain that gun crime would be deterred by the widespread possession of guns by individuals acting on their own to confront or respond as individuals and by tougher prosecution of criminals. They maintain that no new laws are needed. They offer no solutions to prevent first-time gun violence by teens, by intimates, or to accidents in the home, or -a huge problem - handgun suicides, but instead offer a vision in which the exaggerated, misleading and historically inaccurate image of "gun freedoms" trumps other freedoms. This false vision is wildly at odds with the Second Amendment and with the vision of our founders of ordered liberty. It would create a nation neither safe nor free.

As national spokespersons for the legal profession and for a system of laws dedicated to the goal of justice, we seek a different future. We believe that the problem of gun violence in America is best addressed by ensuring we have a society governed by laws and not by armed individuals. We have called for tougher enforcement of gun laws for decades. But criminal penalties at best only address a portion of gun violence. Countries all over the world have enacted laws to carefully restrict the presence and availability of guns, particularly handguns, to keep them out of hands of children, out of the equation of violence in the home, away from schools and difficult for criminals to obtain. We need to do the same.

The gun lobby says criminals will always have all the guns they want. Yes, for as long as gun shows and secondary sales of guns, which combined make up 40 percent of gun sales, are "off-the-books" of our national criminal background check system, criminals will easily acquire firearms. We must close that loophole now and take additional steps so that firearms can systematically be traced, so that outlaw gun dealers can be identified, investigated and shut down, and so that the most egregious forms of illegal firearms trafficking can be stopped. It is the gun lobby itself, which has steadfastly opposed these preventative strategies and maintains that "tough enforcement" - prosecution after crimes are committed - is the only action needed.

Our nation has failed in recent decades to impose appropriate individual and business responsibility and accountability for ordinary manufacture, sale and possession of

firearms and to take the steps most other countries have taken to rationalize laws to address the risks of misuse of guns. Like any other product sold to consumers, guns should be regulated to protect the consuming public from unreasonable risks of harm. Handgun owners should be required to undergo a thorough background check and safety training and to carry liability insurance before obtaining a license. All guns should be registered. These steps will assure that a minimum level of responsibility is assigned by law to realistically address the risks of misuse of guns that exists in our society. Absent these steps, any current scheme of prevention, control or deterrence will remain woefully inadequate.

The future response to gun violence must be more far-reaching and comprehensive than current law provides. It will take a generation with a bold vision and every part of the community to achieve a society free of gun violence. This First Monday in October offers a new start and a worthy challenge.

For more information, contact: Bruce Nicholson, ABA Governmental Affairs Office, Tel. (202) 662-1769, email: [nicholsonb@staff.abanet.org](mailto:nicholsonb@staff.abanet.org).