# States CP

## 1NC – States

### 1nc

#### Counterplan text: The 50 states of the United States and Washington, D.C. ought to ban private ownership of handguns.

BRIEF FOR NEW YORK, HAWAII, MARYLAND, MASSACHUSETTS, NEW JERSEY, AND PUERTO RICO, January, 11, 2008, DC. V Heller

Amici states file this brief in support of their Traditional authority to protect the safety of their Residents by enacting laws governing the possession and Use of firearms. The amici states do not defend The specific handgun ban at issue in this case and do not As a matter of public policy endorse it, preserving state Sovereignty in this area is of paramount importance to The states. For more than two centuries, as contemplated By the ¢onstitution’s framers, the states have been the Primary regulators of firearms. Preserving that role was a fundamental purpose of the second amendment. Accordingly, this court has consistently held that the Second amendment limits only the authority of the Federal government to regulate weapons in the states. If that rule were now called into question[ed], the states would confront federal litigation over every detail of their Statutory schemes, depriving them of authority over policy decisions that have always been reserved to them.

#### That solves better—more efficient, enforceable, and can be tailored to different states

Kleck ’86 (Gary, Associate Professor @ School of Criminology @ Florida State University, “Policy Lessons from Recent Gun Control Research,” Law and Contemporary Problems, 49.1, *Gun Control* (Winter, 1986), Duke University School of Law, pg. 35-62) FT

Yet, many advocates of federal controls go far beyond such measures. In their report to the National Violence Commission, Newton and Zimring recommended a federal restrictive licensing standard amounting to a virtual ban on private ownership of handguns.67 Rather than simply supplementing state measures and thus making it possible for states effectively to apply whatever gun control measures they regard as necessary, such a far-reaching proposal is a substitute for state controls, a way of overriding state legislatures' unwillingness to pass more restrictive laws of their own. There are several good reasons to reject this approach. First, the concept of federalism implies that the states should have as much autonomy as possible in drafting their criminal law and other statutes. Second, federal controls are less satisfactory because traditionally there has been [of] a very limited federal law enforcement apparatus in the area of ordinary crime. The Federal Bureau of Investigation (FBI) regards itself more as an investigatory than a law enforcement agency. Nothing at the federal level corresponds to a street police force, and local police agencies, where most law enforcement personnel are concentrated, have generally been reluctant to devote their limited resources to the enforcement of federal laws. Third, the need for gun control differs sharply from one state to another. Some states have almost no violent crime, with or without guns, while others have a great deal. For example, in 1981 South Dakota had only twelve murders and nonnegligent manslaughters and 122 robberies (1.8 and 17.8 per 100,000 population, respectively), while Nevada, with only twenty-three percent more people, had 148 homicides and 3,867 robberies (17.5 and 64.9 per 100,000, respectively).68

### IPV

### Militarism

#### Local bans are key – they spread the NRA too thin which guarantees their collapse so that backlash can’t take place.

Christoffel 2: Christoffel, Tom. “A Ban on Handguns: They Tried It and They Liked It.” Journal of Public Health Policy, Vol. 7, No. 3, Autumn 1986. CH

The Oak Park election gave the lie to the view that voters will not support an outright ban on handguns and demonstrated the vulnerability of the pro-gun forces. With the crack in the dam, the chances for additional local bans are greatly enhanced. The pro-ban campaign in Oak Park, by its own choice, relied only on support from within the community. What they lacked in money they made up in terms of volunteers, organization, and factual information. The pro-gun campaign relied extensively on outside support. But such outside support cannot be extended infinitely; replication of the Oak Park experience nationwide will spread NRA resources thin, favoring handgun-ban efforts even more. And if handgun control does spread to more of the nation's communities, national control legislation will become a more feasible goal. The effort to ban handguns has long been viewed by many as highly desirable but politically unattainable. This view is needlessly pessimistic. A useful analogy can be seen in the area of drunk-driving fatalities A few years ago, drunk driving was [once] considered unfortunate, or perhaps unwise, but a matter of individual choice that society could do little to correct. In a relatively short time we have become politically intolerant of drunk driving[,] and its devastation, and have begun to intervene strongly to deal with the problem. A similar thing is likely to happen with handguns.

## 2NR – States CP

### Ext

### No Perm

## States

### IPV

# USFG CP

## 1NC – USFG CP

#### Text: The United States federal government should prohibit private ownership of handguns.

VPC 99 "Handgun Ban Background," Violence Policy Center, 1999, http://www.vpc.org/fact\_sht/hgbanfs.htm

Handgun Ban Backgrounder America's gun problem is a handgun problem. Handguns exact an inordinate toll on American lives. The vast majority of gun death and injury in homicides, suicides, and unintentional shootings is carried out with easily concealable pistols and revolvers. The public health model as well as the traditional approaches employed in protecting consumer health and safety lead to one inevitable conclusion: handguns should be banned. Firearms There are an estimated 192 million firearms in civilian hands.1 Yet, fewer and fewer Americans own more and more guns. Surprisingly, only 25 percent of adults own a firearm. Of these, three out of four own more than one gun.2 About 10 percent of the adult population owns 77 percent of the total stock of firearms.3 Handguns There are about 65 million handguns in the United States. Handguns make up 34 percent of all types of firearms.4 Of all firearm-related crime, 86 percent involved handguns.5 Only one in six Americans own handguns.6 Unlike manufacturers of other consumer products, the industry that makes handguns is unregulated for health and safety. Overall Firearm-Related Deaths Since 1962, more than one million Americans have died in firearm homicides, suicides, and unintentional shootings. Handguns were used in more than 650,000 of these fatal shootings.7 In 1997ï¿½the most recent year availableï¿½there were 89 firearm deaths per day, or a firearm death every 16 minutes.8 In homes with guns, a member of the household is almost three times as likely to be the victim of a homicide compared to gun-free homes.9 Handguns and Homicide On the average, if someone gets shot and killed, four out of five times it will be with a handgun. In 1997, for example, handguns were used in 79.4 percent of all firearm homicides.10 From 1990 to 1997, handguns were used in a majority (55.6 percent) of all homicides; that is, they were used in murder more than all other weapons combined.11 From 1990 to 1997, there were 293,781 firearm deathsï¿½homicides, suicides, and unintentional shootings.12 From 1990 to 1997 in the United States there were more thanï¿½ 160,000 homicides 110,000 firearm homicides 89,000 handgun homicides13 Handgun homicides hit record highs in the early 1990s, peaking in 1993. That year there were 13,258 such killingsï¿½out of a total of 16,120 firearm homicides.14 As part of an overall drop in crime, in 1997 handgun homicides fell to 8,503.15 Suicide The largest category of firearms fatality is suicide, not homicide. In 1997, 54 percent of all gun deaths were suicides, and 42 percent were homicides.16 About six out of 10 suicides are committed with firearms.17 For firearm suicides, it is estimated that handguns are used twice as often (69 percent) as rifles and shotguns.18 For all suicides, it is estimated that more than four out of 10 were committed with handguns.19 From 1990 to 1997ï¿½ there were more than 147,000 suicides committed with a firearm an estimated 90,000 involved a handgun20 People living in a household with a gun are almost five times more likely to die by suicide than people living in a gun-free home.21 Self Defense For every time a gun in the home is used in a self-defense homicide, a gun will be used inï¿½ 1.3 unintentional deaths 4.6 criminal homicides 37 suicides22 In 1997 there were 15,690 homicides. Of these, 8,503 were committed with handguns. Among handgun homicides, only 193 (2.3 percent) were classified as justifiable homicides by civilians.23 For every time in 1997 that a civilian used a handgun to kill in self-defense, 43 people lost their lives in handgun homicides alone.24

#### Solves best- inconsistent laws cause an increase in gun trafficking

Aisch and Keller 11/13 GREGOR AISCH and JOSH KELLER – reporters for the New York Times: “How Gun Traffickers Get Around State Gun Laws” New York Times November 3, 2015; http://www.nytimes.com/interactive/2015/11/12/us/gun-traffickers-smuggling-state-gun-laws.html?\_r=3IG 12/13/15

In response to mass shootings in the last few years, more than 20 states, including some of the nation’s biggest, have passed new laws restricting how people can buy and carry guns. Yet the effect of those laws has been significantly diluted by a thriving underground market for firearms brought from states with few restrictions. About 50,000 guns are found to be diverted to criminals across state lines every year, federal data shows, and many more are likely to cross state lines undetected. In New York and New Jersey, which have some of the strictest laws in the country, more than two-thirds of guns tied to criminal activity were traced to out-of-state purchases in 2014. Many were brought in via the so-called Iron Pipeline, made up of Interstate 95 and its tributary highways, from Southern states with weaker gun laws, like Virginia, Georgia and Florida.

#### State and local law enforcement aren’t trained well enough to carry out focused prevention – only federal agencies like ATF solve

Harwood 02 Harwood, William S - attorney in Portland, Maine, President of Maine Citizens Against Handgun Violence and a member of the American Bar Association Coordinating Committee on Gun Violence: "Gun Control: State Versus Federal Regulation of Firearms." Maine Policy Review 11.1 (2002) : 58 -73, http://digitalcommons.library.umaine.edu/mpr/vol11/iss1/12.IG 12/2/15

The states present a different challenge. Unlike ATF, there are thousands of state and local law enforcement officials and police officers already at work in the states. However, their duties extend well beyond the regulation of firearms. Given their broad jurisdiction, it is not clear that state and local police are well positioned to mount the kind of specialized and focused campaign that may be needed to significantly reduce the level of gun violence. Furthermore, as described above, gun violence is a multifaceted problem, and state and local police may not have the training or resources necessary to carry out a regulatory program aimed at preventing suicides, domestic violence and children’s accidents.

#### Solvency deficit to the aff– inconsistent laws cause spill over from other states

Donohue 15 John Donohue (professor of law at Stanford), "Ban guns, end shootings? How evidence stacks up around the world," CNN News, 8/27/2015, http://www.cnn.com/2015/08/27/opinions/us-guns-evidence/ AZ

In fact, in the same manifesto ("December and January -- Rifle/gun accessories purchased", Breivik wrote that it was from a U.S. supplier that he purchased -- and had mailed -- 10 30-round ammunition magazines for the rifle he used in his attack. In other words, even if a particular state chooses to make it harder for some would-be killers to get their weapons, these efforts can be undercut by the jurisdictions that hold out from these efforts. In the U.S., of course, gun control measures at the state and local level are often thwarted by the lax attitude to gun acquisition in other states.

#### On IPV specifically – unified definition is necessary or loopholes are created.

LaTour ‘16: (Amée LaTour, “The “Boyfriend Loophole” Lets Abusers Own Guns.” Lady Clever. January 21, 2016//FT)

Federally, it is illegal for people convicted of a misdemeanor domestic violence charge to possess a firearm. However, because states define such misdemeanors in different ways, people who have committed certain acts of domestic abuse that would bar them from firearms in some states can still obtain and keep guns in others. Although a Supreme Court decision in 2014 supported a broad definition of “physical force” when assessing such misdemeanors and determining whether firearms should be prohibited, matters are still largely left to the interpretation of the states.

## States Politics

#### The plan derails Brown's efforts – strong opposition to strict gun control

Rosenhall 15 Laurel Rosenhall (Sacramento Bee reporter for more than a dozen years), "Gun control in a blue state: It’s more complicated than you’d think," CalMatters, 12/1/2015

California already has gun-control laws stronger than many other states, including universal background checks and a ban on many assault weapons. The Law Center to Prevent Gun Violence, a group that supports gun restrictions, gave California an A- last year for the strength of its gun laws. Yet even in a state as blue as California, Democrats in the Capitol can defy expectations when it comes to guns. Though many gun-control bills have broad support, some have been vetoed by Democratic Gov. Jerry Brown. Others fall flat in a Legislature where some Democrats -- particularly those from inland California -- are sensitive to gun owners and their grassroots lobbying campaigns. Newsom, who plans to run for governor in 2018, has said the initiative is necessary to fight the gun lobby’s effectiveness in the state Capitol. But some Democrats say the opposition in their party to some gun laws is both a political concern as well as a reflection of their constituents’ values. Gun ownership “is part of the cultural fabric of rural California and a practical matter when you live in parts of the state where the nearest police officer on a Friday night is 38 miles away,” said Richie Ross, a political consultant who has run Democratic campaigns in the Central Valley for decades. His clients include Democratic Assembly members Adam Gray (D-Merced), Henry Perea (D-Fresno) and Rudy Salas (D-Bakersfield), all of whom rejected the ammunition and magazine bills. Assemblywoman Susan Eggman (D-Stockton) did not support those bills because they would have “burdened law-abiding gun owners without improving public safety or preventing criminals from getting guns,” said her spokesman Christian Burkin. He added that she has voted in favor of other gun-control bills, including one that prohibits purchasing large-capacity magazines. Some of the Democrats who rejected the ammunition and magazine bills held politically competitive seats and faced difficult re-election challenges. Assembly members Steve Fox (D-Palmdale) and Sharon Quirk-Silva (D-Fullerton) voted against the bills and still lost to Republicans last year. Brown twice vetoed another provision included in Newsom’s measure: a requirement that gun owners report lost or stolen firearms to law enforcement. “I continue to believe that responsible people report the loss or theft of a firearm and irresponsible people do not,” Brown wrote in a 2013 veto message. Newsom has framed his ballot measure as an opportunity for voters to get around the gun lobby’s influence in Sacramento. The initiative is expected to begin collecting signatures early next year to qualify for the 2016 ballot. Yet compared to most of the powerful interests working to sway policy in Sacramento, gun-rights groups spend relatively little on lobbying and campaign donations, with most of their money going to Republicans. Over the last 15 years, major pro-gun groups have given at least $440,000 to state-level campaigns in California, according to a search of the Secretary of State’s campaign finance database. The Altria cigarette company spent about 100 times as much during the same time period. Among the 13 Democrats who helped defeat the bills now incorporated in Newsom’s measure, Assemblyman Jim Frazier (D-Oakley) is the only one who reported contributions from pro-gun groups. “The gun community in California is a universe of $25 to $35 donors. … We’re talking dozens and dozens of small contributions,” said Sam Paredes, lobbyist for the Gun Owners of California. Instead of large contributions, gun groups rely on grassroots lobbying to win battles in the Legislature. In the debate over the ammunition regulation bill, one assemblyman held up a poster-sized photograph of 33,000 emails he said he received against the bill. Democrat Fox said he received nine emails in support and 670 emails “specifically from my district, against this.” That kind of lobbying presents a challenge for gun-control advocates, said Amanda Wilcox, of the Brady Campaign to Prevent Gun Violence: “I’m sure these moderate Democrats get a lot of phone calls and that is probably a big reason why it’s difficult to get their votes sometimes.”

# Theory Issues

### States CP Counter-interp

#### Counter-interp – If the topic does not specify the USFG as the actor, the negative may defend action by the 50 United States and Washington, D.C. if the affirmative specifies implementation by the USFG

#### Solves predictability – my evidence proves states are normal means for gun bans increases in the status quo, so state action is extremely predictable for US affs – it’s one of the core debates for gun regulations and consistently comes up in political debates

#### Solves ground loss – the 1AC should be equipped to prove federal action is best, otherwise they wouldn’t prove the aff is better than the squo since the squo uses states – if they weren’t ready for a states CP they would have lost anyways

### Generic Defense

#### Net Benefits check predictability – I can’t read the CP unless I have a disad to the aff, which I could have read anyways

#### Perms check – you can win on a perm against any unpredictable CP

#### Lit checks – I have a solvency advocate which proves I’m predictable

#### The aff could have defended ANY ACTOR within the U.S they wanted, this topic doesn’t force them to USFG – they should be responsible for the one they selected

### States CP Good

#### Key to testing the aff – they have infinite prep time and massive prep skew in their favor since aff can spec a policy and frontline it while negs have to prep case negs – impacts:

#### Process CPs are a key generic against hyper-specific affs – even if in this instance their aff is predictable enough, I can’t prep quality generics if I have to split my time to also prep specific plans – *also competing interps means it’s a question of what you justify, not what you do, so states CP is a better rule even if not necessary in this context*

#### Err on the side of including neg ground since the aff has an incentive and for excluding as much of it as possible and plans are the way to do so

#### Key to substantive engagement – either negs can access good generics or they’ll read bad ones, such as frivolous theory, T, or their stock NC – even if it is marginally worse for the aff it’s preferable to the absolute exclusion of the CP since a large impact to education outweighs a harm impact to fairness

#### The aff should be ready to defend all parts of their plan text, this leads to better and more fully thought-out policy proposals rather than debaters choosing an actor arbitrarily. Key to policy education since we have more in-depth debates about the specifics of the plan.

#### Depth and Clash – The CP ensures in-depth comparison of federal actor vs states actor– key to modeling of the actual deliberation that occurs in policy environments. Their interp excludes a key portion of education

#### Depth outweighs – incentivizes out-of-round research and critical thinking skills since surface level frontlines won’t win debates

#### I also link turn breadth – their interp necessarily excludes arguments which I include - even if we don’t read 4-off every round we’ll still prep them – the benefit to including PICs outweighs the marginal harm in not reading all neg positions simultaneously

#### 3. Repetition – almost every debate on this topic is the same solvency debate or util vs liberty NC – states CP introduces new terms to the discussion. Key to topic education since it exposes us to new forms of education rather than mindlessly repeating the same blocked-out solvency debates.

### Education 1st

#### Intrinsic value: Education and portable skills will almost certainly be applicable to our daily lives, whereas the outcome of a few rounds is unlikely to affect our long-term life outcomes. We could have an entirely fair coin-flipping competition, but that would destroy any value it had.

#### Scope: Even if competitive success is important, the nature of the activity creates very few winners. Education’s value is applicable to every participant in the activity, so it’s the only value the entire activity can recognize.

#### Education is a linear impact whereas fairness is a threshold – either the round was sufficiently fair to adjudicate, or not. That means fairness has increasingly marginal benefits as we get closer and closer to a perfect activity, whereas we always get the full value of education impacts.

#### Schools wouldn’t fund debate and people wouldn’t participate if it weren’t educational – preserving the activity outweighs since theory assumes debate should exist

### A2 Reciprocity

#### Your evidence and advocacy are specific to the US federal government – you should be prepared to defend the actor you chose

## Multi Actor Fiat

## ASPEC