

"How Could This Happen Here?" Making Sense of California Gun Violence

By Avery Thomas



People attend a candlelight vigil for victims of the Monterey Park shooting, which left at least 11 people dead.
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Just days into 2023, California was met with a wave of gun violence that is atypical to the state. Californians are used to seeing coverage of mass shootings in the news, just like all Americans. But when the small communities of Half Moon Bay and Monterey Park became the newest headlines, people in the pro-gun control state were left in shock. Californians pride themselves for having one of the lowest [firearm mortality rates](#) in the country, due to a large number of gun control laws that work together to prevent this kind of senseless violence. But as the state recovers from [the deaths of at least 19 people](#) in back to back shootings, the statistics do not seem to be proving themselves. Despite the progress California has made in recent years to prevent gun violence, the state is only one piece of the larger all consuming puzzle of the gun epidemic in the United States of America. This article seeks to answer some of the questions we are left with as California recovers from a horrific first month of 2023.

Doesn't California have some of the strongest gun laws in the US?

In 2021 California was ranked as the #1 state for gun safety by [Giffords Law Center](#). The state boasts more than 100 gun laws, and is often the pioneer for legislation such as the [assault weapon ban](#) that has been in place since 1989. These laws have worked to

prevent high risk people from purchasing firearms, with extensive background checks and tight regulation of the gun market. The effects of this legislation is apparent, as California is [37% below the national average of gun deaths](#). In addition to comprehensive background checks, California is one of the only states to have [domestic violence gun laws](#), dedicated gun violence research funding, and [gun industry liability and responsibility laws](#).

Despite being one of the most progressive states in gun policy, California is not immune to violence. According to [Giffords Law Center](#), someone is killed by a gun every three hours in the state of California. In 2022 alone, California witnessed [50 mass shootings](#). The shootings in Half Moon Bay and Monterey Park serve as yet another reminder how much progress both the state and the country need to do to prevent these mass killings.

Could the shootings in Half Moon Bay and Monterey Park have been avoided?

We've seen the story before. After many are left dead, gruesome details are revealed about the shooter that make you think "How did people not see this coming?". In the cases of Half Moon Bay and Monterey Park, both shooters have had previous encounters with authorities that pointed towards the possibility of future violence. In 1990, a Monterey Park shooter [was arrested](#) for unlawful possession of a firearm. It is unclear whether this arrest would have prompted authorities to ban the suspect from legally possessing firearms.

Furthermore, the weapon used in the Monterey Park shooting is [likely illegal](#) in the state of California today. The [Cobray model firearm](#) had features such as a threaded barrel and ability to accept a detachable magazine that would make it considered an assault weapon. The firearm was purchased in 1999 in Monterey Park, but was not registered to the state of California. This raises the question of just how effective California's gun registry is, and if there are more illegal weapons harbored in the state.

In 2013, the Half Moon Bay shooter was accused of [suffocating and threatening](#) to kill his then roommate. A temporary restraining order was granted, but no further action was taken. Given the shooter's previous violent history, experts question whether California's "red flag laws" would have removed weapons from a violent perpetrator.

What are Gun Violence Restraining Orders?

Also known as the "red flag law", California has a Gun Violence Restraining Order law that allows law enforcement, family and household members, some co-workers, employers and teachers to work with a judge to temporarily remove access to firearms

and ammunition from people at significant risk of self-harm or harming others. Legislation like this exists in [19 states and the District of Colombia](#). A study at [UC Davis](#) found that this law primarily is used by law enforcement officers to prevent firearm assault and homicide. In the first three years of the implementation of the GRVO law, [mass shooting threats occurred in 30% of cases](#) in which weapons were removed from an at-risk individual. The law was also utilized to prevent interpersonal violence and suicide risk.

Advocates have celebrated legislation like California's GRVO law as one of the best tools available to prevent gun violence. However, both in California and across the nation, these laws are underutilized. Unfortunately, citizens of these states are uneducated on this kind of legislation, so it is not used to its capacity. If an assault weapon ban is unlikely to be implemented on the national level, "red flag laws" have the potential to prevent senseless violence like that which has occurred in Monterey Park and Half Moon Bay, among a massive number of other cases in the US.

Are Americans in favor of stronger gun control policies?

Most US adults are in favor of [stricter gun laws](#). In the same poll, most US adults also agreed that gun violence is increasing nationwide. These results are supported by about half of Republicans, and a majority of those in gun-owning households. And it is true, mass shootings are increasing nationwide. According to [The Marshall Project](#), there were more mass shootings in the past five years than in any other half-decade going back to 1966. This is coupled with an increase in all forms of gun violence, as [more Americans died of gun-related injuries in 2020](#) than in any other year on record. With this data comes no surprise that Americans are in favor of more comprehensive gun control.

Americans are also in favor of the type of gun control policies that are already implemented in California. An [AP-NORC poll](#) found that 78% of US adults strongly or somewhat favor red flag laws. Three quarters of Americans want to raise the minimum legal age to buy a gun to 21, and a smaller majority of Americans favor a ban on assault weapons. As violence continues to increase in the US, it is not shocking for Americans to call their government to action.

If Americans want gun control, why hasn't the federal government done anything?

Gun control has slowly become a state issue over the years. As partisan politics continue to incapacitate Congress, very little meaningful policy is being passed despite the will of the American majority. In summer 2022, Biden however signed into law [the first major gun safety legislation](#) in nearly 30 years. This legislation included incentives for states to

pass red flag laws, and expanded background checks on people ages 18-21 who are trying to buy a gun. Nearly [two-thirds of US adults](#) approve of the new gun law, however most also are not sure it will do much to reduce gun violence in the country. Just months after this bill was signed into existence, Biden remarked that the fact that red flag laws are not being enforced is [“ridiculous”](#). Biden continues to push for a federal assault weapons ban, which will be unlikely to be passed in his term as he lacks a majority in the House and a 60 vote majority in the Senate.

Gun control is just another one of the issues that is deterred by the filibuster, which requires 60 Senators to pass legislation, rather than a simple majority. This rule has become criticized by both parties in recent years, however neither side agrees to compromise and end the filibuster, because it gives the minority unprecedented power. The filibuster has also been used to prevent legislation on issues like [climate change](#), [abortion rights](#), and [immigration reform](#), issues that Americans broadly agree on.

Why is gun control such a party based issue?

Even if the majority of Americans want gun control, Republicans and Democrats cannot come to any sort of compromise in Congress. This will is not reflected in the Republican Party largely because of the symbolic importance of guns in conservative politics. This principle is upheld by the National Rifle Association, which has become one of the most influential special interest lobbying groups in American politics. The organization, which [declared bankruptcy](#) in the beginning of 2021, officially [spends on average \\$3 million per year](#) to influence gun policy. In recent years, the NRA has devoted most of its funding to the elections of pro-gun candidates for office. Even as the group's [spending](#) has been steadily declining, it remains powerful in the sense of the lengths their supporters are willing to go for its members to engage in politics. Politicians such as [Donald Trump and Ted Cruz](#) both receive donations and are main speakers for the NRA. Although Americans support gun control, the GOP does not. It is willing to use this issue against its own members as a political threat, ostracizing the politician who may stray from party lines to vote for gun legislation.

The reality is that most Republicans in the Senate represent deeply conservative states that value their right to bear arms, despite the countless lives lost to firearm violence every year. This is not only an issue about guns, the Senate's small-state bias prevents action being taken on countless other issues that are contested in the US, and even in the House. Without addressing issues such as partisan politics, the filibuster, and Senate inequality, little to no progress is going to be made on the federal level in almost every area. This is why states like California have taken the lead on gun control, but still witness violence on their own ground.

If the federal government is not going to act, can California make any meaningful progress?

The summer of 2022 was defined by two more mass shootings that led to pleas of action. A shooting at an elementary school that left [nineteen children and two adults dead](#), and another shooting at a Walmart that left another [ten dead](#) happened just days apart. These two acts of mass violence incited pleas for legislative action both nationwide and state to state. Although these two slayings happened across the country from California, Governor Gavin Newsom made it imperative California introduce new gun control measures.

Three major measures were proposed; including as state [excise tax on ammunition and guns](#), [additional measures](#) for domestic violence perpetrators, and a proposal to make the [possession of an unregistered “ghost gun”](#) a felony. Despite these measures, gun policy experts said that “a national culture that accepts routine violence, combined with an inability to enforce gun controls in one state that is surrounded by others where rules are more lax, means that California will continue to grapple with public mass violence” (Cowan, 2023).

The sad reality of living in the United States today is turning on the news to see more people are dead by gunman in a new city every day. States such as California can only pass as much legislation to prevent violence until events such as Half Moon Bay and Monterey Park remind us this is not a state issue, it is a national one. Following the violence in California, [Newsom reminded all Americans](#) that “We can’t do this alone. And with all due respect, we [California] feel like we are”. Gun violence transcends state borders, and without comprehensive federal action, we will only have our meaningless “thoughts and prayers” to offer to those who have been affected by the US gun epidemic.

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