

# Episode 90: Senator Chris Murphy on "the Violence Inside Us...."

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## SUMMARY KEYWORDS

gun, nra, violence, book, people, gun violence, brady, sandy hook, gun lobby, connecticut, fight, background checks, legislation, heller, senator, government, second amendment, weapons, law, gun violence prevention

## SPEAKERS

John Lowy, JJ Janflone, Kelly Sampson, Sen. Chris Murphy



JJ Janflone 00:08

Hey everybody, this is a legal disclaimer, where I tell you the views, thoughts and opinions shared on this podcast belong solely to our guests and hosts, and not necessarily Brady or Brady's affiliates. Please note, this podcast contains discussions of violence that some people may find disturbing. It's okay--we find it disturbing too. Hey, everyone. Welcome back to Red, Blue and Brady. Today, Kelly and I are joined by John Lowy, head of legal at Brady, as well as Senator Chris Murphy, the United States Senator for Connecticut. While Senator Murphy devotes himself to public service, he has also been very outspoken about fighting for gun violence prevention. He's here with us today to talk about his new book, *The Violence Inside Us* where he tackles the question "Is America destined to be, and remain, a violent nation?" Then in our "unbelievable but--" segment, we're detailing why guns and Walt Disney World don't mix. Finally, in our news wrap up, remembering musician Rudy Mata, his murder, and the legal case that followed, as well as gun violence how gun violence in Little Rock continues to rise and the death of Supreme Court Justice Ruth Bader Ginsburg. Senator, I'm going to start right off if I can have maybe you introduce yourself. And then Lowy, if you can introduce yourself so that people know you as more than just one name?



Sen. Chris Murphy 01:33

Sure, this is Chris Murphy, I have the privilege of representing Connecticut in the United States Senate.



John Lowy 01:40

And I'm John Lowy, I'm chief counsel and Vice President of legal at Brady,



JJ Janflone 01:45

And from what I understand, do you prefer -- Can I ask you to quickly, titles in mind? Are you gonna, since you introduced yourself as Chris, are you gonna feel uncomfortable like if I keep calling you senator, because that's what...



Sen. Chris Murphy 01:55

I will, I will a little bit so I prefer Chris.



JJ Janflone 01:58

I was gonna say that's what my etiquette book said to do. So, you know,



Sen. Chris Murphy 02:02

Some people like can't get their head wrapped around using Chris or first name, but I prefer it.



JJ Janflone 02:08

Okay, we'll just so you know, Emily Post is very upset with you.



Sen. Chris Murphy 02:11

Well, you know, we're not close.



JJ Janflone 02:15

Well, in that case, I do believe, Lowy, that you and Chris, actually, you know, each other

you've met before. And I was wondering if you could tell our listeners a little bit about that first meeting.



John Lowy 02:23

Sure. You're making it sound a lot more intriguing than it may be but but actually, it was, I don't know, if you remember, Senator, but it was New Year's Eve in the afternoon on 2012. And you had recently been elected to the Senate. And then Sandy Hook happened, and you hadn't been sworn in yet. And you gathered me and another gun violence prevention advocate together on Capitol Hill in a room room. And basically, you told us that, you know, you'd spent a lot of time with Sandy Hook families, and you are now committed to them and their cause, and the cause of gun violence prevention. And that's, you know, what you are going to do as a senator, among other things, and you wanted to learn everything there was to learn about the issue. And I'd been in the issue for about 15 years. And, you know, it was an extraordinary thing, I thought, for a political figure to just want to have this personal commitment to the constituents, but also to be so open to just trying to absorb information and and to be honest with you reading your book, it all rang true, because it was the same sort of sensibility that you communicated in your book.



03:37

Yeah. Well, you know, it's good to be with you again, even though it's it's virtually, over the air. But, you know, while this book is really, you know, a story of American violence, it's an effort to, you know, tell the history of how we got so violent, and how different kinds of violence exist in their own sort of silo, but also have many things in common. I do try throughout this book to weave together, you know, some of my narrative and my story, just over the last seven years, as you mentioned. You know, I was seeking out a lot of information and wisdom in those early days after the shooting, because I knew that my life had changed. And I knew that I was beginning to change, that I was becoming more personally and emotionally and psychically routed to an issue than any other issue I'd worked on before. And, and that certainly is the way that I feel today. I feel like you know, I have, you know, this one measure of my success or failure in public life, it's whether I end up doing something meaningful and comprehensive to make sure that these kids not just those Sandy Hook, but these young men who die in the streets of Hartford, New Haven, Bridgeport every day, they don't die in vain. And so I, I'm glad that we got to connect early on, because I put myself on a path to educating myself and turning myself into a hopefully forceful and effective advocate in his book. I impart the story of that journey, so that people can, you know, along the way in reading it, learn the things that I learned and maybe, in turn step up and, you know, lift their voices a little louder as well.



JJ Janflone 05:14

And that sort of leads me to, I really want to talk about, to open up with, your book, *The Violence Inside Us*. And so I think you've given a really great intro on why you felt the need to put it together, but I'm wondering what prompted you to write not just a book on gun violence, but this history of American violence as well?



Sen. Chris Murphy 05:31

Yeah, I, I think that's a great question. Because, you know, maybe people might expect I'd write a book on background checks, or a book on the building of the political movement over the last seven years around gun violence. But, you know, this is as much a history going back, certainly, you know, 250 years, but in many, and going back thousands of years, I tell, you know, both the story of global violence, as well as the story of American violence in this book. And the reason is, I think, in order to know where to go, we have to know why we've got this violence. And, you know, I think that the sort of fulcrum point in many ways in this book is the moment where American gun violence rates start to go off the charts, right? The moment when we start to become this global outlier of violence. And that moment is the 1840s/1850s. And there are three things that are happening at that moment. One is, you know, we see this massive expansion of enslaved Black Americans, because the invention of the cotton gin requires more people to be a slave. It requires these epidemic levels of violence in the United States in order to keep those people enslaved. And we all become kind of numb anesthetized to violence in America, because it comes the way in which we enforce the social order. That sort of history of racism, just sort of undergoes changes in the methods of violence. But violence has always been connected to American racism. The second thing that happens is that there's lots of new immigrants that come to the United States in the first wave of European immigration. What we find is that when there are people of different backgrounds competing for scarce economic space, violence erupts. And today, we see that violence sort of tracks poverty when you're competing for scarce economic space in America today, and there's lots of scarcity, there is violence. And then lastly, the invention of the handgun. So the handgun is invented right around that time, we decide not to regulate it different than the decisions made by our European ancestors. And all three of those things lead to this explosion of violence in the United States. And that's why you have to attack all three, you have to attack racism, you have to attack poverty, you have to attack the proliferation of handguns in the United States. And that's why the story and the history of American violence, I think, is really important to understanding where we go,



JJ Janflone 07:49

One of the things that really struck me, I think, probably there's so much I want to unpack both in this and then I'll give a free advertisement to everyone listening to this right now. The Senator, Chris, is being very kind to let us do a Facebook Live on the 28th, where people who have read the book can write in with questions and sort of a little Brady book club. But one of the things that I want to get into right away is you talking in the book about how some Americans have a hard time reckoning with what you term "lethal violence." And this idea that "it couldn't happen here." You know, it couldn't happen in a particular neighborhood. It couldn't happen. Really, what you talk about, in some places, to a particular class of people, and yet others are impacted by gun violence every day, to the point where that gets labeled as everyday gun violence. I know that if we could just maybe unpack those differences and experiences that you've undergone. I mean, I know Lowy, for you, fighting for justice for survivors and for victims of gun violence for a very long time. And you Chris fighting for legislation. Just so

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Sen. Chris Murphy 08:53

Yeah, yeah. No but, but these are these are really important ones. And, you know, I start the book by talking about this murder in Hartford that happened about a month and a half before Sandy Hook that got no attention in the newspapers, in part because it was a 20th gun murder in Hartford that year. The young man's name was Shane Oliver and he was killed both as a consequence of the inevitability of violence in Hartford, his entire life had been sort of defined by violence. He spent his childhood fleeing a gang, he had to learn how to fight at an early age in order to protect himself, but also because of the randomness of violence. He was killed after an argument over a girl some mean things were said by some acquaintances of his about his girlfriend, turned into a shooting because there just happened to be an illegal weapon sitting in the front seat of one of these kids cars. He went and got it after Shane threw a punch and Shane was dead moments later. And, you know, I grew up a stone's throw from Shane in a suburb, a very sort of safe suburb with very low rates of violence, just a few miles away. And while I knew that gun murders happened in Hartford, because I saw them sort of flashed across my newsfeed at night growing up, that wasn't my problem. That was somebody else's problem. And I'm really embarrassed to say that I spent a decade or more in public service, effectively still thinking that it wasn't my problem. And I mean, maybe I didn't, maybe that wasn't a conscious thought. But I didn't work on the issue of gun violence, and I should have. And since Sandy Hook, I think in Connecticut, we've done a really good job of bringing together the families from Sandy Hook and those families from the north end of Hartford, because, you know, they better than anybody else can explain that it doesn't matter whether it happens in a mass shooting, or it happens in a single gun homicide, the trauma to the family, to the parents, and the sisters and the brothers and the cousins left behind is no less. And we've got to start thinking about this as one full problem. And I think

we've done a much better job of that in the wake of Sandy Hook.



John Lowy 11:08

Yeah. And to add to that, I mean, I think the senator said it really well. And you know, JJ, as you say, you know, in my work over 20 years at Brady, I represent and we represent, Brady, victims of what you'd call everyday gun violence. And it runs the gamut. I mean, black, white, urban, rural, police officers, civilian, but almost all cases that do not make the news. And I do think it's just so important for us all to get over our privilege, our exceptionalism, and to realize that the gun violence, you know, could hit any of us anywhere in doing, and recognize that we have to have just empathy for, you know, our fellow Americans who face this. And that's really the, you know, the answer. I, there's a quote from Martin Luther King, which I'm sure I'll mangle, but something about that, you know, change has to happen when the people who are not affected care as much as people who are affected.



Kelly Sampson 12:17

There's so much to cover from the book. So I'm going to turn a little bit to talking about a group that looms pretty large in these conversations. And that's the gun lobby. And in your book, Chris, you detail the many interactions that you've had with them, and especially their constant pushback against gun law reform. And I'm wondering if you could talk a little bit about those experiences, and also why you thought it was necessary to add that into a book about the history of American violence?



12:47

Well, I think it's a really important part of the history because you know, much of the reason that we are in the place we are today with these mass shootings being regularized in this country, is because of the impact of the influence of the firearms lobby, they have successfully stymied legislation that would have a great impact on the trajectory of violence in this nation.



Sen. Chris Murphy 13:11

What's interesting to note is that there are two massive declines in violence in the United States in the last 100 years, the trajectory of American violence is not just sort of inevitably upward, it actually goes up, and then it suddenly comes down two different times: once in the late 1930s, early 1940s and then again, in the mid 1990s, late 1990s. That's not

coincidental to the two most important firearms control acts of the last 100 years, almost immediately after the passage of the initial Firearms Control Act of the 30s, and then after the Brady Bill and the assault weapons ban, violence rates start to plummet. And it's because, you know, the laws change, and there are less illegal guns out there, but also because government sends a moral signal that we condemn violence. And people sort of pick up on the moral signals government sets, that establishes private sector norms. And so the gun lobby is so important, because they have stopped us from sort of passing that next generation of anti-gun violence laws that will get the same kind of return that the 1990s and 1930s laws had. And you know, the story of the movement is interesting, because, you know, the NRA is a really sleepy marksmanship Association for much of its first 100 years, it actually writes some of the earliest gun control laws in the 1920s. And then it gets taken over by a group of radical anti-government right wingers, you know, folks that are interested in guns, but folks that are frankly much more interested in just destroying government's legitimacy to do anything. And so they create this narrative that "no gun laws can keep you safe, only guns can keep you safe." But they become part of this sort of right-wing ecosystem that you know, wins the day and taking down environmental laws and consumer protection laws. And and you sort of have to see the NRA in that broader context to understand how it became so powerful, and we can talk about how it's become less powerful. But to understand why we are where we are today, you need to know the story of the NRA.

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Kelly Sampson 15:13

And that's actually I would love to hear a little bit more about how they become less powerful from you. And then also open it up to John, because I know, in your litigation work, you have also had to deal directly with members of the gun lobby, particularly the NRA. And this year has been very tumultuous for them. And so to both of you, I would ask, you know, if you could talk a little bit about what's happening now, where you think the lobby is heading. And then obviously, John, you can talk a little bit about the kind of litigation side of dealing with the gun lobby too.

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15:45

Well, you know, I will just say, you know, I'm eager to hear John out on this. You know, the NRA sort of got pushed in a pretty untenable direction as their gun industry patrons needed the NRA to become more and more extreme. So in order to sort of fuel the sale of these high powered weapons to a small number of people, the gun industry pushed the NRA to become more conspiratorial, more paranoid about government. And so the NRA, which used to be for background checks, now has to be against background checks, because they've got to fuel this idea that the government is coming for your guns, which

then drives gun sales.

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Sen. Chris Murphy 16:26

And so when our movement became sort of more powerful in the wake of Sandy Hook, we were able to sort of just educate folks on what the NRA was actually advocating, and, and how out of step, the NRA was, not just with Americans in general, but with its own members. The Parkland kids probably had the biggest impact when they were sort of willing to call out the NRA by name. But I think folks, you know, finally saw this sort of serious counterweight to the NRA developing that was willing to call it out as extreme and out of step, even with gun owners. And as that process played out, the NRA just became sort of less and less attractive as a political institution you wanted to be close to. It wasn't even representing the views of its own members. It didn't help that the NRA, you know, was probably a sort of criminal conspiracy of sorts, defrauding its own members, telling them they're using their money to, you know, save their guns, when in fact, they were using their money to pad the pockets of their board members and staff members. But I think the essential issue was that they just got kind of over their skis, and we got powerful enough to call them out.

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John Lowy 17:43

AAnd I think another factor is, you have a declining gun industry. And you know, gun ownership has been going down, hunting has been going down. And because of that, I think the gun industry has become more desperate for sales and profit. And so they see every piece of legislation as potentially taking away sales. I mean, if you have background checks, that's going to reduce the flow of guns, the criminal market, you lose those guns that are those sales that are headed to the criminal market, you know. assault weapons ban, you're going to lose those sales of assault weapons, including sales to mass killers, and, and unfortunately, many in the gun industry, it's really don't care about the consequences of what happens to their guns as long as they make money from them.



JJ Janflone 18:44

Well, and one of the things I found most compelling about the book in these sections on the NRA, and again, for our listeners, we're going to be detailing more in our Facebook Live event on the different types of gun violence the senator has articulated, and their causes and possible remedies. But for now, in this particular episode, I really wanted us to focus more on sort of the policies and the legislation and the the players, if you will, the lobbyists that impact, you know, our ability to fight for gun violence prevention. And Chris,

one of the things that I found very compelling, was you talking about the changing history of the gun lobby, sort of what the Second Amendment may have started as what the gun lobby them itself started as, and then how in the 70s, you know, the NRA, in particular, deeply changed and with that, I think, sort of the average Americans understanding of what the Second Amendment actually is. And I'm wondering if we could talk about that a little bit more.

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Sen. Chris Murphy 19:38

Right. Well, you know, they're referenced, the NRA starts out as a organization to teach Civil War soldiers sort of after the Civil War, how to sort of more accurately shoot their weapons. And they, they're a pretty, you know, well known organization, right off the bat. But they're really about sort of -- sportsmanship -- and they're about sort of teaching people how to use guns more seriously and responsibly. They, you know, end up, as I mentioned, writing some of the draft state laws regulating firearms, they ended up supporting the law that passed Congress in the late 1930s, restricting the sale of certain weapons and putting a tax on the sale of other kinds of weapons. And, you know, it's not until the 1970s, when this sort of modern, anti government, right wing sort of infrastructure gets built up, that they end up becoming something different. They essentially get taken over by these right wingers who just say, "Listen, the year of compromise is over." They kind of integrate themselves with those sort of broader sort of right wing around the country. And, you know, they become powerful because as the Republican Party sort of becomes, you know, a one trick pony, just an anti government party, the NRA endorsement is sort of the best way to show how much you hate government, because the NRA stands for the ability of citizens to stand in armed insurrection against the government. And so the NRA is able to sort of say, "Hey Republicans, you need our endorsement to get a nomination in your party because of how tightly we are woven into the fabric of the anti government movement in this country." What's interesting is that we talked about a lot of the reasons why they're they've gotten weaker, you know, frankly, in the long run, the sort of emergence of Donald Trump is, is troubling for them. Because now Donald Trump's endorsement is the only thing that matters in Republican politics, not the NRA's endorsement. And so. whether Trump wins or loses this election, that's still going to be the case and that's going to be another reason why they just aren't as powerful. The Second Amendment, it's just not something a lot of people talk about for much of the 1900s it's kind of accepted that it's, you know, probably about militias probably doesn't protect individuals, right to gun ownership. And it isn't, again, until the sort of modern NRA comes along, that this different strain of jurisprudence emerges, in which eventually, the Heller decision comes out saying that, in fact, the Second Amendment is about militias, but also about an individual's right to have firearms. I, we can talk about it, I actually don't think that Heller is a super wrong decision. But it is interesting that nobody really contests

the Second Amendment in any meaningful way in the federal court system until the modern version of the NRA comes along.



JJ Janflone 22:32

And, Lowy, I wonder about you, too, because I know you've sort of you know, and going directly up against the gun lobby, you've had to contend with us, you know, what the gun lobby says it is vs. what it actually is. I just, I'm curious about your take on it as well.



John Lowy 22:46

Sure, I think it's important to talk about the leadership of the gun lobby, which I think largely, you know, fights for the gun industry, and as Senator Murphy says, you know, for these extremists, or cultural positions, but that's very different from the average NRA member. And actually, Senator, you, you tell a great story in your book about meeting someone who was clearly a total, you know, Second Amendment guy, and then you begin talking to him about, I think background checks. And he's like, "Yeah, that makes sense." And that's been my experience is, you know, you can talk to the most extreme individual gun person, Second Amendment gun rights advocate, NRA members. And often, if you talk to them about particular issues, like should there be background checks on gun sales to prevent prohibited people from getting them? Should there be extreme risk protection orders to keep guns out of the hands of people in times of crisis? They're almost always agreeing with you. And polls show that but that's been my personal experience as well. And that's reassuring and, and hopefully, One consequence of what may be the downfall of the of the NRA because of their financial shenanigans, will be that a lot of these people no longer have that, that leadership to look to, and will actually look to what they actually believe in and support our policies.



Kelly Sampson 24:28

And I mean, as we're talking about, or as you mentioned, John, the NRA's leadership and sort of contrasting that with the average American's belief, I want to open a question up to both of you and talk about Wayne Lapiere's claim that "only a good guy with a gun can stop a bad guy with a gun." And there's a lot of division about this sentiment, because part of the country agrees, but it hits so many other people as crass and wrong. So I'm wondering if you could talk a little bit about that sentiment that having a gun is the only way that we can stay safe, and it's the only thing that will protect us. And just your experiences with dealing with that, with convincing people that it isn't true and how it's impacted our movement.



25:12

But you know, it's a creation of the gun industry, right? I mean, you got to see the NRA and Wayne Lapierre and the gun industry as one entity. And as John mentioned, you know, there's this panic moment that happens, you know, somewhere in the late 80s, where, you know, this trend line starts to look pretty unmistakable, fewer Americans are buying guns, you know. In the 1970s, about half of American households had a gun, that number has been steadily declining. Today, you know, I think around one third of American households have a gun. And so, you know, the NRA has to come up with something new on behalf of the industry. And, and what it falls back on is this idea that laws cannot protect you, right, there is no law that can protect you, the only thing that can protect you is a gun. And so by sort of taking this tack, that kind of forces them into a corner where they can't support any legislation. Because if they admit that any law can protect you, then that compromises their message that only a gun can protect you. But it also exposes them to the data, which tells them that they are patently wrong. In fact, it's the exact opposite.



Sen. Chris Murphy 26:25

If you have a gun in your house, it is 12 times more likely to be used to kill you, or to commit a crime than it is to be used in some heroic defense of your home or your property, or your loved ones against an intruder. That may happen in the movies, that is not what happens in real life. That gun ends up being turned on you or it gets there ends up being used in some wildly tragic, unintentional way. And so we just have to get that story out there but we also have to recognize that, you know, this slogan which they trot out over and over, this is what they said after Sandy Hook that we just got to put more guns in schools, it's kind of a consequence of their desperation of an American public that is just not as interested as they once were in owning guns.



JJ Janflone 27:12

And to pivot, I think sort of on that, because we're talking about people's interests changing. And yet we still continue to see legislation get stops, which is often referred to as like "common sense" or "gun sense legislation." And I know that both of you and, Senator you detail this in your book, that you've had careers fighting on behalf of victims and survivors of gun violence, and I'm wondering on a personal note, like what what is that like? So for example, Chris, I know in the book, you write about the refusal of the universal background check bill, when when you're sitting with a bunch of the Sandy Hook parents who have worked so hard on it. Lowy, I know you had very similar experiences. And I'm wondering, what's that like? That run up, that connection with survivors, and then

the aftermath, when legislation gets shut down, that you know would be helpful.

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John Lowy 27:57

Oh, well, you know, I'm sure you'll have similar stories to tell. Senator, I remember actually, in the Senate, talking to Sandy Hook families shortly before the vote on background checks, and they were very excited, very revved up. And a lot of these people were new to the gun violence prevention movement, I'd been in it for 15 years or so the one thing I said to them is, you know, I hope this works out, but don't expect it to work out this time. This is a very long fight. And you, you know, we got to be prepared to have defeats and keep on fighting, which I'd seen firsthand, and then shortly after they experienced it, as well. So I think that's, that's an important message. But as far as what it's like to, to, you know, to work with survivors and victims who represent them by case, you know, there's just, I view these people as heroes. as true American heroes. I mean, they, they suffer the most unimaginable tragedies, and they, there's a lot of places they could go with that grief and that anger, and the place they go is to fight to prevent other families from suffering the way they have, and that's just extraordinary. And thankfully, unfortunately, they've suffered these tragedies, but thankfully, they have the courage to fight for all of us.

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Sen. Chris Murphy 29:17

Yeah, I mean, I, these reference some of the stories I tell in the book, I talk about coming out of the chamber after background checks failed. You have to remember the Sandy Hook families, you know, thought as many of us did, that we were going to get a ban on assault weapons, the kind of weapon that killed their children. The weapons in Sandy Hook were bought with background checks. So you know, they knew that background checks would save many other lives, it wasn't directly connected to the murder in Sandy Hook, but they cared about it deeply nonetheless, I remember coming out and talking to Mark Barton, one of the dads, and you know, telling him how heartbroken I was. And, you know, telling him I hope you wouldn't give up and he you know, He says, "Listen, Chris, you know, I'm not an advocate for four years. I'm an advocate for 40 years, right? My life has changed. I'm in this for the long haul." And I just always remind, you know, groups of anti-gun violence advocates, you sometimes get to despirited that we haven't made as much change. Although I, I would argue that we've made a whole lot more than you might think. The great social change movements in history are the ones that, you know, met lots of obstacles, and you don't read about, you know, social change movements in history books, if they give up, if they meet adversity, and they just pack it in. No. We're racking up more victories today than we did four years ago, we got a bill passed through the House of Representatives, passing referendums. We're getting companies to make very different decisions about who they invest in, and whether they allow guns in their stores. I mean,

we're winning more than we're losing. And by the end, by the way, the NRA can't get anything passed. I mean, even when the NRA had two years, from 2017 to 2018, where they had the presidency, the House and the Senate all run by NRA supporters, they had a list of priorities, and they couldn't get a single one of them passed. You know why? Because those Republicans feared us more than they feared, this year, the NRA. And so they literally did nothing on any of the NRA priorities for two years, because they just didn't want to have to be hassled by all of us, when those bills came up for votes, and that's a signal in and of itself, of how powerful we've gotten.

J

John Lowy 29:39

Yeah, just to tack onto that briefly at you know, when I began at Brady, you know, that the the Republican playbook was before an election, introduce God, guns, and gays legislation. Those were hot button issues, and that those are things that you want to vote on, and then, you know, put a bumper sticker and campaign on that issue. The fact that Mitch McConnell will not allow a vote on gun violence prevention legislation shows it's been exactly the opposite. Now, not only do they not want to force votes on these issues, they know those are losers politically. So that's why they're sparing their members voting on them.

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Kelly Sampson 32:10

I'm glad that you both talked about the perception of the NRA's power, versus the reality, especially lately, and I know you get into that into your book a little bit, Chris. But I think it's helpful to know because there has been this mythology built up around them being all powerful, when in reality, we're powerful people who want common sense gun legislation, and we can do a lot. And to kind of unpack another thing from your book, you mentioned earlier in our recording as well that you think that the District of Columbia vs. Heller case is basically correct. And for listeners, that's the case where the court established that the Second Amendment protects an individual right to keep a firearm at home for self defense. And I'm wondering if you could explain what you mean by saying it's basically correct and then john, I would love your take on that too.

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Sen. Chris Murphy 32:55

Sure. Yeah, I understand that my perspective here may be, you know, a little out of step with some of my allies. You know, I took a lot of time in readying this book to sort of go back and review the constitutional history around the Second Amendment. There's not much there's not much written about the Second Amendment by our founding fathers. I think that it's likely that the Second Amendment is probably just about militia

organization, or I tell the story in the book of how paranoid our founding fathers were about standing armies, that was just an obsession they had because they, they thought, actually, a standing army was, you know, one of the biggest enemies, the biggest threats to democracy, they would be pretty amazed at the size of our armed forces today. And so they wanted to make sure that there was the ability to organize militias, so that if there was a threat that popped up, we could meet it. But I think if you read the full sort of history of the revolutionary period, it's likely that our founding fathers thought that there was a common law right to gun ownership. I don't think they believed the government could, sort of, wholesale ban the private ownership of weapons. But what they also believed was the government had the right, and the ability to really forcefully regulate guns because there was tons of gun regulation in the mid to late 1700s. You had to register your weapons, you had to register how much gunpowder you had, there were huge populations of Americans that were prohibited from buying guns, mostly for the wrong reasons. There were restrictions on where you could have guns. So I think, you know, the conclusion I've come to is that, in my view, the Constitution doesn't allow you to ban guns in private hands, but it does allow you to ban certain guns and it does allow you to say who can have guns and who can't, and what you have to do in order to, to own a gun. And I think that's probably where, you know, 80% of the American public are. I just think that's the right place legally and probably the right place politically, and I understand. I think it's a close call. I'm not saying I'm 100% sure that that right exists. And I know that there are lots of other people who don't think there's any legal or constitutional right to gun ownership. That's just where I've come down.



John Lowy 35:07

Well, I don't think we have that much disagreement. I mean, where I do disagree is, I think regardless of whether some of the founders or potentially all of them may have thought that there's some common law or natural right to guns, that isn't what the Second Amendment was about. So that, in interpreting Second Amendment, I think you got to look at what was the intent of this provision, and that, as you say, was all about militias. So I think the Heller decision was just completely wrong. If the court wanted to find that they were recognizing this natural law or common law, right, they had to come out and say it, and they wouldn't want to do it, because that would really open up the door to a lot of natural common law, progressive rights in other areas, which they don't want to recognize. And so I do think Heller was wrong. But I do agree that, the fact is, I mean, Brady, when we fought against the Heller decision, as organization, we did not favor those sorts of gun bans, broad gun bans, as an organization on policy grounds. And, you know, that's still our view. And I agree, that's where most people are. So I think if the Heller decision, if it were simply to keep gun bans off the table, that's something that I think most people could live with. The danger that we have now, though, is we've got a increasingly

conservative court, with many of them who want to vastly expand Heller to recognize the right to assault weapons and strike down other sorts of reasonable laws. And, you know, because of that, I think courts should, hopefully, the Supreme Court should take a hard second look at Heller, and look at its flaws, and recognize that it's not a decision worthy of being expanded upon.



JJ Janflone 37:03

And I appreciate both of you going into it, because I think and this is something that I've struggled with, since I started to come into, you know, into into being in gun violence prevention spaces for over a year now, is that it's shocking how guns are so much, I think, a part of American culture, but then how like little the average American knows of like, the history of guns in the US, or like the actual legal rules in the US around guns and how different you know, things are from from state to state. And I'm wondering, Chris, if you can even talk a little bit about, you know, some of the changes that you've seen in Connecticut, because we're seeing much more change, I think, at the local level than we are at the national level.



Sen. Chris Murphy 37:43

Yeah, I mean, that, you know, like the first gun law in the state of Connecticut passed during the Colonial Era, was a law requiring white males to carry guns whenever they are at church, or whenever they are in a public meeting. And the reason for that was that at that moment, the perceived menace, were Native American tribes, and colonists figured out pretty quickly that they had a serious technological advantage over the natives that they were attempting to clear out, and that was firearms. So American violence really begins with a sort of massive use of firearms by early Americans to exterminate Native Americans. And then it just sort of changes over to be used against slaves and Black Americans, as well. But today, there is this wide diversity of gun laws, and so that does allow us to study what works and what doesn't work. It's not a coincidence. It's not purely driven by cultural factors, that Connecticut as a gun violence rate 400%, lower than Florida's. The reason for that it is, in large part, because we just control guns a lot better in Connecticut, than they do in Florida. And the two sort of most relevant examples that I talked about in this book, and I go into a little bit of detail about them are our Connecticut who in the 1990s, passes a universal background checks law. And pretty immediately, we get a 40% reduction in gun homicides. And that's in a study that controls for all other potential influences of homicide rates. And then a decade later in Missouri, a state that actually had a universal background checks requirement throughout most of the 19th, the 20th century. They get rid of it in the 2000s at the behest of the NRA and within a year, gun violence rates, gun homicide rates go up by 25% and the number of

Missouri bought guns used in gun crimes all around the region spike as well. And so you see these massive sort of changes in violence rates that occur pretty quickly after the adoption and repeal of the kind of interventions that we care about and that, you know, help strengthen our case for why, we know that this is going to get us some big returns if we pass it on national level.



Kelly Sampson 40:06

And it's interesting to hear to jump to a different, slightly different point. But as you and John were kind of unpacking Heller and history and the way that that informs how people think of guns today, it reminded me so much of the conversations we've been having recently around racial justice and civil rights, and so many of the conversations and so much of the contentions that people have are resulting from different ideas about history and different ideas about how we got to where we are today. And so, Chris, you've talked about, this year, ushering in a new civil rights movement, particularly around gun violence. And I'm wondering if you could explain that to our listeners, and how you think that that may be reflected in voting and upcoming legislation to.



Sen. Chris Murphy 40:58

So, I wrote a book about violence in America, which ends up being a book in large part about race in America. And the reason for that is that, you know, this country uses violence right from the get-go, in order for white Americans to suppress communities of color. First, to the Native Americans, then it's our system of slavery, it morphs into Jim Crow and vigilante justice, like lynching, and now it's mass incarceration. We've just changed the form of violence, but violence has always been the mechanism by which whites have maintained their position of dominance over minority communities. And so if you don't grapple with that history, right, if you don't recognize America's racist roots, and our presence, then no changes in gun laws are going to get you the return that you need. Yes, violence tracks poverty, more than it tracks race. The problem is systemic racism, has meant that millions more African Americans, for instance, are subject to a cycle of poverty they can't escape from than white Americans. And thus, you see, violence being visited upon black communities at a rate that looks nothing like it visits white communities. So you've got to sort of understand that unless you tackle racism in America, and our racist systems, then you're not going to get where you want to get to ultimately on violence.



JJ Janflone 42:30

And I think that that's, it's so important too, because I think we have to talk a little bit

about resiliency in this space as well. Because again, you know, I think the specter of 2020 flies over everything that I think having this conversation about how do we continue to fight despite everything, you know, that happens or doesn't happen? And and one of the things in the book, Chris, I'm going to do that awful thing that people do to authors where they quote them at them. So brace yourself, which is in the book, you talk about 2020, ushering in a new civil rights movement, particularly around gun violence. And I'm wondering if you could explain that to our listeners. And then Lowy, I would love even your input to about, you know, do you think that this will be reflected in voting and legislation?

S

Sen. Chris Murphy 43:17

Well, I think what I'm saying in the in the in the book is that is a version of what I just said, right, which is that unless you tackle systemic racism, you can't effectively address violence. You know, I tell the story in his book of a visit one day to Baltimore in which I'm walking through the streets, just sort of talking to activists and residents about, you know, what they think contributes to the just astronomical rates of gun violence in some of these poor neighborhoods of Baltimore. And one man, he says, "You ever been hungry." And I say, "Well, yeah, I've been hungry." He says, "No, no, you ever been HUNGRY?" And now I know, what do you mean? Like, have you ever, you know, been malnourished, right? Because you can't get the food you need? And I say, "Well, no, I'm lucky in that way." And he says, "Listen, man, hunger hardens the heart." Right? What he's saying is that when you are that economically desperate, right, you don't know where your next meal is coming from. It causes you to do things that you might not otherwise do. And that is why poverty tracks, violence tracks poverty. And so if you don't understand all of the ways that we have intentionally subjected millions of African Americans to life, poverty, through redlining, and hiring, discrimination, through lack of investment in affordable housing, through police brutality, then you aren't going to ultimately be able to dramatically decline violence rates in this country. So that's why I think a new civil rights movement which economically and politically empowers African Americans, is ultimately also going to result in a decline in violence, right. That's what the course of human history tells us as people become more economically empowered, as they see routes to prosperity other than violence, violence declines. And that will be part of the story if we have this reckoning with racial justice and inequality that I hope we're going to have.

K

Kelly Sampson 45:16

I really appreciate the anecdote that you shared about the man asking you if you had ever been hungry, because so much of the conversation that we do have it almost like, I mean, dehumanizing black people, indigenous people and other people of color run throughout our history, and some of the responses act as though we're not people. So

instead of thinking common sense, of course, if you have someone who is unable to get the basic human needs, that's going to have an impact, but so many of the conversations we have don't even act like Black people or other people of color are human beings and responding in human ways, so really appreciate you sharing that.

S

Sen. Chris Murphy 45:57

Yeah, I mean look, that's obviously a big part of this story of American violence is the decision that we have made historically to just value white life much more than we value black lives. You know, another story from Baltimore, in this book is a young man who drops his kids off at a school that I'm visiting, and while I'm in that school, he's, he's shocked after dropping off his kids before he walks into his front door. And you know, that's a story that receives almost no attention. I couldn't find almost a single article that described his murder, days afterwards. If that was a white father, a white affluent father, who dropped off his kids in a suburban school in Connecticut, that story would be plastered on the front pages, it would be the subject of endless stories on the cable news shows. That's the difference between how we value black life and white life.

J

John Lowy 46:48

And can I jump in for a second? You know, I would just add shameless plug for the book. I mean, it is a great book...



JJ Janflone 46:55

Yup.

J

John Lowy 46:55

It's very surprising to me as a book by a politician, which is often usually sort of a campaign document in a way. And this is not that it's actually it's, it's a combination of compelling stories, and extremely informative with a lot of studies and analysis, but it covers a lot of ground.



JJ Janflone 47:18

Well, and I'm wondering, on that note, then before we let you go for this first intro, and again, this was just a very easy beginning primer because there was so much to cover in the book itself that we have to have Chris back really in less than a week. So everyone will

have a chance then to get access to the book, buy it, you will not regret it, read it, and then come on and ask the senator, all your burning questions. But where can people find a book?

 Sen. Chris Murphy 47:44

Anywhere! It is available in all of your local bookstores. Obviously, we'd prefer you buy it from a local retailer. I, a lot of my friends go to RJ Julia, which is a wonderful bookstore in Madison, Connecticut. They also have a lot of signed copies there. But yeah, it's available everywhere, preferably from a from a local retailer.



JJ Janflone 48:09

And there will be a link in the book to you know, a big online retailer. I'm sure you guys will understand which one that is, and the description of our episode. But I do recommend that yeah, there are so many great little indie bookstores out there that need support. And I suddenly, you know, and I like you so much more now, Chris, even more than I did when I read the book.

 Sen. Chris Murphy 48:28

Well, thanks for having me on. I really appreciate it.



JJ Janflone 48:31

Well, thank you. Now, when you go to a theme park, especially in the time of COVID, you know, you expect to go through security, right? I know that I do. But just last week, a 27 year old woman was going through the bag check at Epcot, Walt Disney World, when security found two guns in a diaper bag she was carrying. Law enforcement were called after Disney security guards saw one weapon "in plain sight," and then when searching further found a second gun. The woman was not arrested on charges of carrying a concealed weapon. In case it needs to be said, weapons of any kind, including guns are not allowed in Walt Disney World theme parks or resorts. And more to the point, guns shouldn't be around kids, definitely don't keep one in your diaper bag. And this week's news wrap up I start by talking about how on September 25 of 2012, an acclaimed Arlington, Texas musician Rudy Mata was shot and killed. The rockabilly star was a beloved husband, father and grandfather. He was killed two weeks prior to his 26th wedding anniversary with his wife Sandra. Following his death with the help of the Brady legal team, the law firm Paul Weiss, Rifkind, Wharton and Garrison LLP and the law firm,

Edwards Law, Sandra brought suit against Pioneer Pawn and its owners. The Pawn Shop, also in Arlington, had sold the shooter a glock handgun, despite him having told a Pioneer Pawn employee that he intended to commit a murder. The case was settled in March of 2018. In cooperation with Brady Pioneer Pawn agreed to implement policies to increase awareness on the part of its employees and to enhance existing gun safety policies. Brady succeeded in Pioneer Pawn upon to adopt a variety of practice reforms including, but not limited to, a requirement that employees must properly report certain information to management and law enforcement and review trace requests from the ATF. Meanwhile, in Little Rock, Arkansas, gun violence continues to rise. In the last two years, the number of people shot in the city has nearly doubled. Little Rock police spokesperson Lieutenant Casey Clark says detectives are starting to notice more shell casings at every crime scene. It's went from several years ago, where it might be four or five shots fired in a drive by or residential shooting, to now we're seeing 20 or 30 rounds fired he said. In 2020, the city is on par to meet the same number of homicides that it experienced last year. So far there have been 37 homicides, whereas in 2019, there were 36 at this point in the year. Finally, we mourn the loss of Supreme Court Justice Ruth Bader Ginsburg, who spent a lifetime fighting against gender discrimination and being an advocate for women's rights. Born on March 15, in 1933, in Brooklyn, New York, she graduated from Cornell University at the top of her class in 1954, graduated from Columbia Law School in 1959 as first class, taught at Rutgers University Law School in Columbia, and was appointed as a justice in 1993, when she was appointed by Bill Clinton. She passed away on September 18 2020, at the age of 87 from complications of metastatic pancreatic cancer. We celebrate her life as a trailblazer, a brilliant jurist, and a supporter of common sense gun laws. Her loss is measurable as were her contributions to the laws, and history of our nation. Hey, got something to share with the podcast? Listeners can get in touch with us here at "Red, Blue and Brady" via phone or text message. Simply call or text us at 480-744-3452 with your thoughts, questions, concerns, ideas, whatever. And you know what else you can do? Listen to this ad! With more than 10 years of experience. NordVPN is a leading VPN provider. NordVPN gives you military grade protection online, and you can access all your favorite sites without restriction. They never log your activity when using their servers and you can always trust your privacy to them. Someone who, ideally once COVID is over, would travel quite a bit to countries or places with internet restrictions. I gotta say I love NordVPN. Right now listeners have an opportunity to support the show and get 70% off on a two year plan by clicking the link in the description of our episode. Thanks for listening. As always Brady's life saving work in Congress, the courts and communities across the country is made possible thanks to you. For more information or how to get involved in the fight against gun violence, please like and subscribe to the podcast, get in touch with the Bradyunited.org or on social media @BradyBuzz. Be brave, and remember -- take action not sides.

