

# The Ineffectiveness of the 1994 Assault Weapons Ban

Nathan Brown

*Faculty Mentor: Cindi Bearden, BS, Mac, CPA*  
Business and Nonprofit Studies, Accountancy

## Abstract

The 1994 Assault Weapons Ban (AWB) was enacted on September 13, 1994. The primary purpose of the ban was to reduce the frequency and lethality of mass shootings in the U.S. The ban had 3 provisions. It outlawed 9 groups of guns, semiautomatic weapons with 2 or more militaristic features, and large capacity magazines (LCMs). The 1994 AWB proved to be ineffective due to many loopholes and flaws, such as the grandfathering of LCMs and guns produced prior to the ban's enactment, the exemption of 650 gun models, the production of similar guns by manufacturers, and the fact that very few gun-related crimes were committed with AWs prior to the ban. All of these loopholes led to little success for the ban in accomplishing its goal of reducing the frequency and lethality of mass shootings in the U.S. Proponents of the ban argue that the recent rise in mass shootings in the U.S. is due to the lifting of the ban in September of 2004, but studies show that many other factors are to blame. These include increased social media usage and shooters' desire for fame, inspiration from previous shooters, and mental illness.

Mass shooting occurrences have increased in the U.S. since 2005. Many blame this increase on the lifting of the 1994 Assault Weapons Ban (AWB). The primary goal of the ban was to decrease the frequency and lethality of mass shootings in the U.S. (Ingraham, 2018). Studies show, however, that the ban did not accomplish its goals due to several loopholes and flaws. Studies also show that the recent increase in mass shootings in the U.S. can be attributed to a multitude of factors other than the lifting of the ban.

## Overview of the 1994 Assault Weapons Ban

The 1994 AWB was a 10-year ban enacted on September 13, 1994 (Koper, Woods, & Roth, 2004). The goal of the ban was to decrease the frequency and lethality of mass shootings in the U.S. (Ingraham, 2004). Provisions of the ban included prohibiting 9 groups of rifles, pistols, and shotguns (Koper, Woods, & Roth, 2004). The ban also outlawed other semiautomatic weapons with 2 or more of a group of features including grenade launchers and bayonet mounts, flash suppressors, pistol grips, and threaded barrels (Jacobs, 2015). The final provision of the ban was the prohibition of large-capacity magazines (LCMs), those holding more than 10 rounds of ammunition (Koper, Woods, & Roth, 2004).

## Loopholes/Flaws of the 1994 Assault Weapons Ban

The 1994 AWB did not accomplish its goals. Gun owners were able to continue purchasing assault weapons (AWs) and LCMs due to several loopholes and flaws in the law.

## Grandfathering Rule/Exemptions

One major loophole of the 1994 AWB was the grandfathering of guns manufactured before September 13, 1994. Banned models produced before this date were legal to own (Jacobs, 2015). This was an issue because about 1 million AWs were privately owned in the U.S. as of 1990, and another 500,000 were produced domestically from 1989-1993. This meant there were at least 1.5 million legal AWs in the U.S. at the time of the ban's enactment (Koper, 2004).

Another flaw in the 1994 AWB was that it excluded around 650 models of firearms (Jacobs, 2015). These firearms were used primarily for hunting and recreation and did not contain militaristic features. However, 86 of these weapons were semiautomatic, and many of them accepted LCMs; thus there were still many firearms available for legal purchase (Koper, Woods, & Roth, 2004).

## Substituting New Models for Banned Models

The 1994 AWB also made it easy to create legal substitutes for banned guns. To do this, manufacturers would make minor changes, such as removing banned features from the gun. For example, the AB-10 was identical to the TEC-9, a banned firearm, except for the removal of the threaded barrel and barrel shroud (Koper, Woods, & Roth, 2004). This demonstrates the ease with which manufacturers were able to maneuver around the ban to continue to produce the weapons.

### Large Capacity Magazines

The 1994 AWB also grandfathered all LCMs produced before the ban's enactment. This was a problem because as of 1994, 18% of all civilian firearms, or 25 million guns, were equipped with LCMs. As of 1995, 25 million LCMs were still available in the U.S., and another 4.7 million grandfathered LCMs were imported into the U.S. from 1995-2000, proving that the ban was very ineffective in removing LCMs (Koper, Woods, & Roth, 2004).

### Small Percentage of Gun Crimes Involve AWs

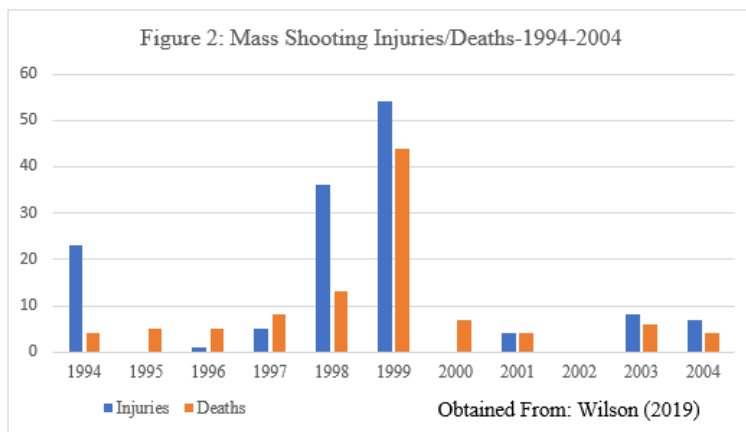
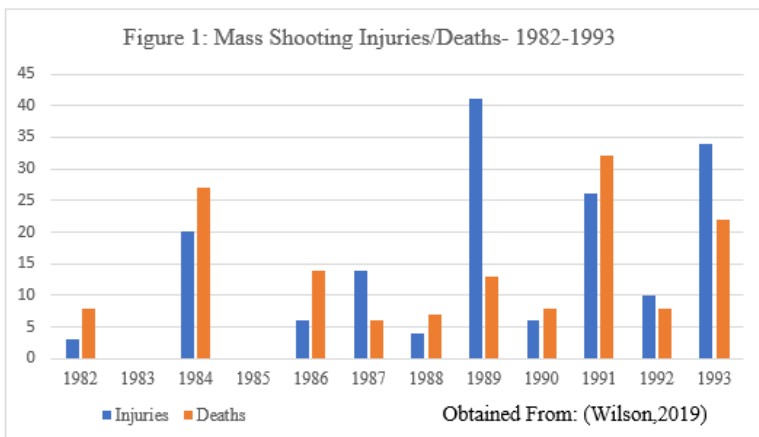
Perhaps the most significant flaw of the 1994 AWB was the fact that in the years prior to the ban, only a small percentage of gun crimes involved AWs. From 1992-1994, just 2% of gun thefts reported to police, 7-9% of guns used in the homicides of police officers, and 4-13% of guns used in mass shootings were classified as AWs (Koper, Woods, & Roth, 2004). With these statistics in mind, perhaps the government should have focused on handguns, which accounted for 86% of gun-related crimes in the U.S. in 1993 (Zawitz, 1995).

### Mass Shootings in the U.S

To determine the effectiveness of the 1994 AWB in accomplishing its primary goal, data from the 12-year period prior to the ban, the period during which the ban was in effect, and the post-ban period from 2005-present were compared.

#### 1982-1993: The Pre-Ban Period

As seen in Figure 1, more than 10 individuals died in mass shootings in just 3 of 7 years from 1982-1988. However, from 1989-1993, more than 10 individuals were killed in mass shootings in 3 out of 5 years (Wilson, 2019). Two major shootings in 1993, one in San Francisco that left 8 dead and 6 injured and another in Long Island that killed 5 and injured 19, ultimately led to the legislation being passed in 1994 (Ingraham, 2018). In total, 18 mass shootings occurred from 1982-1993, killing 145 and injuring 164 (Wilson, 2019).



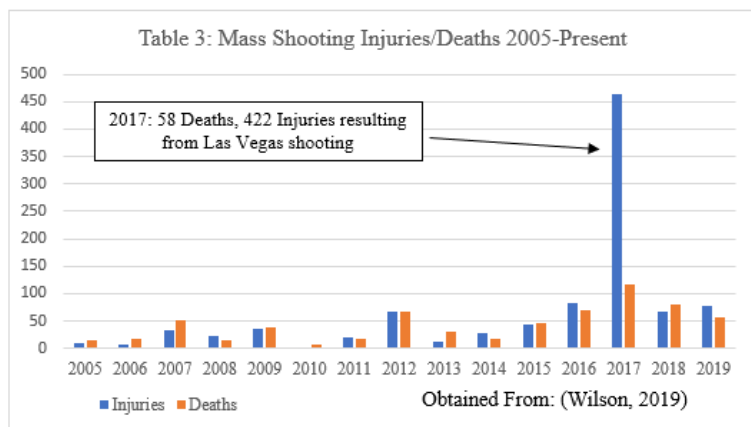
#### 1994-2004: Ineffectiveness of the Ban in Preventing Mass Shootings

During the ban, as Figure 2 shows, more than 10 individuals were killed in mass shootings just twice, leading proponents of the ban to argue that it was effective. A closer look at the data, however, shows that 17 mass shootings took place in the U.S. during the ban, leaving 100 individuals dead and 138 injured. This was only one less shooting, a 31% decrease in deaths, and a 15.85% decrease in injuries from 1982-1993. Higher percentage decreases and a greater decrease in the number of mass shootings would have been desirable, particularly considering that the ban period was one year shorter than the period from 1982-1993 (Wilson, 2019).

One of the 17 mass shootings that occurred during the ban was the Columbine High School massacre, which took place on April 20, 1999 at Columbine High School in Littleton, Colorado (Shepard, n.d.). This shooting involved the use of a TEC-9, which was outlawed by the 1994 AWB and could fire 36 rounds without reloading (Olinger, 2000). The use of the TEC-9 contributed to the catastrophic damage of the shooting, which left 15 dead and 20 injured (Shepard, n.d.). This shooting demonstrated that even guns that had been banned by the 1994 AWB were still obtainable to individuals with intent to commit deadly crimes, further proving the ineffectiveness of the ban.

#### 2005-Present: The Post-Ban Years

Since expiration of the 1994 AWB on September 13, 2004, mass-shooting frequency and lethality have increased in the U.S. Seventy-nine mass shootings have resulted in 974 injuries and 651 deaths in the U.S. since 2005, once again leading many to claim the ban's effectiveness. However, 59 shootings, 842 injuries, and 486 deaths have occurred since 2012, nearly 10 years after the ban was lifted (Wilson, 2019). The fact that the sharp increase did not occur immediately after the ban was lifted indicates that many factors other than the expiration of the ban contributed to the recent spike of mass shootings in the U.S.



### Reasons for Increased Mass Shootings in the United States

One of the many factors contributing to the increase in mass shootings in the U.S is increased social media usage. News of mass shootings is spread easily on these platforms, allowing potential killers to identify with criminal acts and carry out similar acts of their own (Lee, 2018). Another contributor to the increase in mass shootings is the narcissistic tendencies of mass shooters. Many shooters commit crimes because of how easily fame is spread in today’s media environment. Studies have shown that mass shooters may receive millions of dollars’ worth of media attention for their acts. Some shooters even go as far as to commit their crimes at certain times of the year in order to gain more extensive media coverage (Lee, 2018).

Shooters drawing inspiration from previous crimes is another reason for increased mass shootings in the U.S. Psychologists have found that mass shooters view themselves as part of a brotherhood with previous killers, who are seen as “idols and pioneers” (Carey, 2019). One last contributing factor to the rise of mass shootings in the U.S. is mental illness. Studies show that approximately 20% of mass shooters show signs of psychosis. In addition, individuals with mental illnesses such as schizophrenia are more likely than the average person to commit violent crimes (Carey, 2019).

### Conclusion

The 1994 AWB was passed with the intention of reducing the frequency and lethality of mass shootings in the U.S. The ban was not successful in accomplishing its goals, due to several loopholes and flaws. Among these were the grandfathering of guns and LCMs produced before the enactment of the ban and the exclusion of nearly 650 gun models. The ease of producing models similar to banned models and the fact that a small percentage of crimes were committed with AWs prior to the ban were also serious weaknesses of the legislation. Mass shootings have increased

since the ban was lifted, but evidence shows that this increase is due to many factors other than the lifting of the ban. These factors include increased social media usage and shooters’ desire for fame, inspiration from previous shooters, and mental illness.

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