

## Law, Economics, and Politics Center

### Inaugural Cooter-Rubinfeld Lecture

## Professor John Donohue

Stanford Law School

### "The Move to Guns Everywhere"

Thursday, February 6, 2020

Presentation begins at 12:45 p.m. in Room 110 Berkeley Law

Questions by Professor Frank Zimring of Berkeley Law

**\*\*Lunch will be served beginning at 12:30\*\***



Before rejoining the Stanford Law School faculty in 2010 as the C. Wendell and Edith M. Carlsmith Professor of Law, Professor Donohue was the Leighton Homer Surbeck Professor of Law at Yale Law School. He is a member of the American Academy of Arts and Sciences, and the former editor of the *American Law and Economics Review* and president of the American Law and Economics Association and the Society of Empirical Legal Studies. He is also a Research Associate of the National Bureau of Economic Research and previously served as one of 15 invited members of the Committee on Law and Justice of the National Academy of Sciences. He has written extensively on crime and criminal justice generally and issues relating to guns in particular.

#### The Swerve to "Guns Everywhere:" A Legal and Empirical Evaluation

##### ●●●●●Abstract●●●●●

Over the past forty years, there has been an astonishing shift in the American legal landscape on the issue of carrying of concealed handguns outside the home. At the start of that period most states – with strong Republican backing – either prohibited or at least regulated the practice. Today, the large majority of states confer the “right-to-carry” with little or no restriction, and many argue, with limited but increasing judicial support, that there is an individual right under the Second Amendment to carry guns outside the home. One argument used to justify this development was that good guys with guns would quickly thwart mass shootings in the U.S., yet since the end of the federal assault weapons ban in 2004, deaths from mass shootings have been rising sharply – even as lawful gun toting has increased substantially. Moreover, a growing body of evidence suggests that allowing expanded gun access outside the home has elevated violent crime. This paper discusses the empirical evidence on these issues and argues that courts considering constitutional decisions that may impose large social costs in terms of increased gun massacres and violent crime should reflect on this evidence in interpreting the Second Amendment.

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