

GUNS & THE 2008 ELECTIONS

COMMON SENSE GUN LAWS WON, THE NRA LOST, & WHAT IT MEANS



“...don't tell me we can't uphold the Second Amendment while keeping AK-47s out of the hands of criminals.”

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EXECUTIVE SUMMARY

The 2008 election marked a major victory for common sense gun laws. Never in our nation's history have we had an incoming President and Vice President more supportive of strong gun laws.

The Brady Campaign to Prevent Gun Violence strongly endorsed the Obama-Biden ticket, and for good reason. Barack Obama has consistently supported strong sensible gun violence prevention laws throughout his career, and Joe Biden has been a leader in Congress for strong gun laws.

After eight years of an Administration that catered to the gun lobby, deprived gun violence victims of their rights, and turned a deaf ear to law enforcement and communities seeking to strengthen, not weaken, our gun laws, the incoming Obama-Biden administration represents an historic opportunity for this country to responsibly address our gun violence problem.

The fact that Obama and Biden won — and won convincingly, even in many states with heavy rates of gun ownership — also demonstrated that support for common sense gun laws is a winning message across the country and is not a dangerous political “wedge” issue that must be avoided by politicians. As was the case in 2006, there is no evidence that any candidate, at any level, lost because of support for sensible gun laws. Supporters of common sense gun laws won in Senate, House and state races across the country.

Barack Obama's campaign also provided a model to politicians of how to talk about the gun issue. Obama did not run from his record of support for gun control. On the contrary, in his most-watched and highest profile speech of the campaign — accepting the Democratic nomination in Denver — Obama made a point to emphasize his support for restricting assault weapons. He didn't claim to be a hunter, but he did pointedly address the gun lobby's charges and gun owners' concerns, making it clear that he supported reasonable gun laws, but was no threat to law-abiding sportsmen and other legitimate gun owners. That was a winning message. Not only was it the truth, but the National Rifle Association's fear-mongering that Obama was going to “take away your guns” was particularly ineffective given that the Supreme Court has ruled that the Second Amendment bars Congress and the President from enacting a general gun ban. The NRA's “slippery slope” arguments — that reasonable gun laws will eventually lead to a total gun ban — have lost their power.

One of the biggest losers in the 2008 elections was, undoubtedly, the NRA. The Executive Director of the NRA's Institute for Legislative Action, Chris Cox, stressed the elections' importance, saying, “This is arguably the most important year in NRA history.”¹ Backing up these words, the NRA went “all in” to try to defeat Barack Obama and other supporters of reasonable gun laws. The NRA promised to spend \$40 million in the elections, mostly to keep Barack Obama and Joe Biden — “two anti-gun zealots”² according to the organization — out of the White House. The NRA spent millions to tell gun owners that “[t]aken together, Sens. Barack Obama and Joe Biden constitute the

most anti-gun ticket ever to run for the White House”³ and pose a “clear and present danger”⁴ to Second Amendment rights. Yet even after Obama’s “bitter-gate” gaffe gave the NRA some fodder to sow divisions between gun owners and the Democratic ticket, Obama won, and the NRA’s candidates lost, even in the heart of gun country.

Losing at every level, the NRA was the opposite of the king-maker it claims to be. In the Republican primaries, party loyalists overwhelmingly supported John McCain, one of the candidates the NRA liked least, and rejected NRA “A” rated candidates. In the Democratic primaries, “F” ratings from the NRA were worn as badges of honor, and the sole “A” rated candidate — Bill Richardson — was quickly routed. NRA-supported candidates also lost in Senate, House, and state races. Additionally, the NRA lost a member of its Board of Directors serving in Congress — Senator Larry Craig (R-ID) — in disgrace. (This is in addition to losses by NRA Board members Bob Barr in the Presidential race and James Gilmore III in the Virginia race for U.S. Senate.) The NRA’s poor performance in this election follows its dismal results in 2006, in which the NRA spent over 80 % of its independent expenditures on losing candidates.

While guns were certainly not the dominant issue in the 2008 elections, that is part of the point. The NRA’s power has sprung from the perception that even though solid majorities support sensible gun laws, there are “NRA voters” that are reliable single-issue voters, for whom this is *always* the dominant issue. 2008 proved again that the NRA cannot deliver those voters, at least not in numbers significant enough to affect elections. The election of Barack Obama and other supporters of common sense gun laws, and the defeat of many NRA candidates, proves — again — that politicians do not risk electoral defeat if they cross the gun lobby.

Of course, most gun owners do not support the agenda of a marginalized special interest lobby that spends millions to oppose candidates who many gun owners favor, and that promotes an extremist agenda that does law-abiding gun owners no good. For good reason, the NRA has aimed considerable media firepower at its new rival, the American Hunters and Shooters Association (“AHSAs”), that stands up for gun owners while supporting a moderate gun policy agenda. The AHSAs endorsed Obama.

The election of Barack Obama ushers in a new political era, in which Americans are demanding that politicians breach the old divisions and seriously address the pressing problems our nation faces. As President-elect Obama stated forcefully during the campaign, gun violence is one of those problems. There should be no reason why we cannot enact reasonable gun laws to protect our communities from dangerous people with dangerous weapons, without impinging on the rights of law-abiding gun owners.

SUMMARY OF FINDINGS

- **The elections were a major victory for common sense gun laws.** In Barack Obama and Joe Biden, Americans elected a President and Vice President as supportive of strong common sense gun laws as any in American history. Strongly endorsed by the Brady Campaign to Prevent Gun Violence, Obama and Biden voiced a reasonable approach to addressing the gun violence that threatens the nation, while rejecting the division and extremism of the gun lobby. (Pages 7-9)
- **The Brady Campaign, and candidates supportive of sensible gun laws, won big.** (Pages 14-16, 20-22)
 - **Brady endorsed candidates won over 90 % of their races.** (Page 20)
 - **In U.S. Senate races between a Brady-backed candidate and an NRA endorsed or “A” rated candidate, voters chose the Brady candidate 100% of the time; in House races, 84% of the time.** (Page 20)
- **The NRA lost big.** The NRA called 2008 “arguably the most important year” in its 137 year history, and promised to spend \$40 million in the elections, mostly to defeat Obama, who they deemed would be the “most anti-gun president in American history.” The NRA’s millions could not prevent victories by candidates supportive of sensible gun laws, including in states with significant gun ownership. Obama won almost every state where the NRA ran ads. (Pages 9-16)
 - **Voters in both primaries rejected pro-NRA extremists.** In the GOP primaries, party loyalists supported one of the candidates most supportive of reasonable gun laws, and rejected a slate of NRA “A” rated candidates. In the Democratic primaries, the sole candidate who did not receive an “F” rating from the NRA was routed. (Pages 16-19)
 - **The NRA lost big in Senate, House, and state races.** For the second election in a row, the NRA spent most of its money unsuccessfully opposing winning candidates, even in states with significant gun ownership. (Pages 20-22)
 - **The NRA was discredited.** In an election cycle in which voters turned away from misleading ads and over-the-top rhetoric, the NRA’s fear-mongering claims of gun grabbing did not go over well. Fact checkers exposed many NRA ads as misleading and worse, prominently discrediting the NRA. (Page 11)
- **Single-issue “NRA voters” were insignificant.** The NRA derives much of its influence from the myth that even though a small minority supports its agenda, it can deliver a significant block of single-issue “NRA voters.” In 2008 (as in other years), those voters were insignificant in number, and did not make a critical difference in the primaries, the general election, or any down ticket races. (Pages 23-24)

GUNS AND THE 2008 PRESIDENTIAL ELECTION

In the 2008 Presidential election the stakes in the fight for sensible gun laws were high. The NRA proclaimed that 2008 was “arguably the most important year” in its 137-year history. As the NRA put it, if elected, Barack Obama would be the most “anti-gun” President in American history,⁵ and the NRA spent millions of dollars telling gun owners that a President Obama would take away their guns.⁶ While the NRA once again took the path of divisive and ideologically-driven rhetoric and tactics, the Brady Campaign welcomed Obama-Biden’s problem-solving approach to gun violence, grounded in the shared values of most Americans. The Brady Campaign’s endorsement noted that an Obama-Biden administration “will work with law enforcement, gun violence victims, and ordinary citizens who want to do more to protect themselves, their families, and their communities by making it harder for dangerous people to get dangerous weapons.”⁷ On the gun issue, the choice facing voters was stark. And Americans voted, in solid majorities, for Obama, even in states with many gun owners and NRA members.

THE 2008 ELECTION IN BRIEF*

(*Of races called as of 11/6/08, at time of publication.)

- More than 90 percent of Brady Campaign endorsed candidates nationwide won their elections.
- In head-to-head races between candidates endorsed or “A” rated by the NRA and candidates endorsed by the Brady Campaign, Brady candidates won more than 80 percent.
- The NRA spent over thirty-one times more money against Obama than it spent in its negative efforts in 2000 against Al Gore.

PRESIDENT

- Brady endorsed Barack Obama and Joe Biden defeated NRA endorsed John McCain and Sarah Palin, 52 % to 46 %, including in Virginia, North Carolina, Ohio, Pennsylvania, and Indiana.

SENATE

- Brady endorsed candidates won 10 of 10 races.
- In head-to-head races, Brady endorsed candidates beat NRA endorsed or “A” rated candidates in 8 of 8 races, **100 %**.
- The NRA spent over 90% of its independent expenditures on losing candidates.

HOUSE

- Brady endorsed candidates won over 90% of their races.
- In head-to-head races, Brady endorsed candidates beat NRA endorsed or “A” rated candidates in 84% of races.

STATE RACES

- Brady endorsed candidates in state Senate races won 95% of their races.
- Brady endorsed candidates in state House/General Assembly races won over 90% of their races.

The election was a major victory for common sense gun laws, and a powerful rebuke of the gun lobby and its “any gun, anywhere” agenda. The results demonstrated (and not for the first time) that Americans support candidates who favor a sensible gun policy that keeps dangerous guns out of the hands of dangerous people, while respecting the rights of law-abiding gun owners. Barack Obama also demonstrated how to articulate support for a sensible gun policy in a winning message.

THE 2008 ELECTION WAS A MAJOR VICTORY FOR COMMON SENSE GUN LAWS

Throughout Barack Obama’s career, he has consistently supported strong, sensible laws to keep dangerous guns out of the hands of dangerous people.

Obama’s Long Record Of Supporting Reasonable Gun Laws⁸

1. Opposed restrictions on ATF, including barring ATF from disclosing crime gun data (the “Tiahrt Amendment”).
2. Supported requiring background checks for gun sales at gun shows (closing the “gun show loophole”).
3. Supported establishing a national database that would capture and record imprints left by bullets, and making gun locks mandatory.
4. Supported a ban on semiautomatic military-style assault weapons.
5. Supported preventing gun trafficking by limiting handgun purchases to one a month.
6. Supported microstamping of ammunition to allow law enforcement to trace cartridges left at crime scenes.
7. Supported child-proofing of handguns.

As a candidate, Obama did not retreat from his previous positions. On the contrary, time and again, he made his strong gun violence prevention views clear. During the campaign, he stated that:

- He favored strengthening background checks and preventing straw purchases of guns: “I also believe it is important to have some **common-sense gun laws** in place to **make sure that straw purchasers aren't being used to fill up our streets with illegal firearms**, and that we have **stronger background checks** so we keep firearms out of the hands of people with mental health problems or young people or those who have committed crimes.”⁹
- He favored strengthening tracing of guns: “I think it is important for us to **strengthen our ability to trace guns that have been used in crimes** to gun dealers to make sure they are not operating in an illegal way. I think it's

possible to reconcile the tradition of gun ownership, and the rights of sportsmen, hunters and those who want to protect their families, with keeping handguns that are used in crime off the streets.”¹⁰

- He opposed preempting localities from enacting strong gun laws: “You can protect the rights of gun owners and at the same time keep guns out of the hands of criminals”¹¹ because **nothing in the Second Amendment precludes “local governments being able to provide some commonsense gun laws that keep guns out of the hands of gang-bangers or children.”**¹²
- He opposed laws making it easier to carry concealed weapons: “I am **not in favor of concealed weapons**. I think that creates a potential atmosphere where more innocent people could [get shot during] altercations.”¹³
- He advocated for stronger gun laws in the wake of the U.S. Supreme Court’s decision in *District of Columbia v. Heller*: “We can work together to enact common-sense laws, like **closing the gun show loophole** and improving our background check system, so that guns do not fall into the hands of terrorists or criminals. Today’s decision reinforces that if we act responsibly, we can both protect the constitutional right to bear arms and keep our communities and our children safer.”¹⁴

Obama even chose to trumpet his support of reasonable gun laws in his most widely-viewed speech – his acceptance at the Democratic Convention. Speaking out against assault weapons, he said: **“The reality of gun ownership may be different for hunters in rural Ohio than for those plagued by gang-violence in Cleveland, but don't tell me we can't uphold the Second Amendment while keeping AK-47s out of the hands of criminals.”**¹⁵

The selection of Senator Joe Biden as Vice Presidential candidate also reflected the strength of the ticket on gun violence prevention. During his decades of public service, Senator Joe Biden has not only supported strong, reasonable gun laws, he has been a leader on the issue. As Senator Biden stated during the campaign, “I’m not one

Biden’s Long Record Of Supporting Reasonable Gun Laws¹

1. Supported the Brady bill requiring background checks and a waiting period for gun sales.
2. Authored the 1994 Crime bill that included the federal Assault Weapons Ban.
3. Supported renewing the assault weapons ban in 2004.
4. Supported requiring background checks for all gun sales at gun shows.
5. Opposed special legal protection for the gun industry that denied legal remedies to gun violence victims.

of the NRA's favorites, although I do think there is a Second Amendment, which doesn't mean you can have any gun at any time.”

By contrast, the McCain-Palin ticket had a far weaker record on key gun violence prevention issues. McCain voted to deprive gun violence victims of their rights to hold corrupt gun dealers accountable in court, opposed restrictions on civilian ownership of military-style assault weapons, and has opposed other reasonable gun legislation as well. While these stands made him a weaker candidate than Obama on gun issues, McCain has not been in lockstep with the NRA, and earned their disdain for a few principled positions he has taken supporting common sense gun laws. He famously championed closing the gun show loophole at the federal level and in two state ballot initiatives that ultimately passed in Oregon and Colorado. He also opposed the NRA's anti-law enforcement “Tiahrt” appropriations riders that prohibited ATF from disclosing crime gun trace data, as well as gun lobby-backed moves to destroy background check approval records within 24 hours, instead of 90 days.

Governor Sarah Palin appears to be an ardent opponent of common sense gun laws. She opposes a federal ban on AK-47s and other military-style assault weapons and boasts of her lifetime NRA membership. As a gubernatorial candidate she listed as one of her **top three priorities for families**, “Cracking down on the things that harm family life: gangs, drug use, and *infringement of our liberties including attacks on our 2nd Amendment rights.*”¹⁶ Palin never explained what she meant by these “attacks,” or why they were on par with gangs and drug use as “things that harm family life.” The NRA made clear its enthusiasm for her selection, stating, “To put it simply, Gov. Sarah Palin would be one of the most pro-gun vice-presidents in American history, and Joe Biden would definitely be the most anti-gun.”¹⁷



Sarah Palin firing an assault weapon

In sum, the Obama-Biden ticket contrasted markedly from McCain-Palin on gun issues. Supporters of strong gun laws have great friends in President-elect Obama and Vice President-elect Biden. The Obama-Biden administration presents an exciting opportunity for this nation to address America's gun violence epidemic in a responsible and reasonable way.

THE NRA AGAIN PROVED ITSELF INEFFECTIVE, SPENDING TENS OF MILLIONS ON LOSING CAMPAIGNS

In July 2008, the NRA boasted that it intended to spend \$40 million in the elections, much of it intended to prevent the election of Barack Obama,¹⁸ who it claimed would be the “most anti-gun President in American history.” In press conferences, mailings, television ads, radio ads, websites and magazines, the NRA used all of its

media machinery to tell its members and gun owners across the nation that Obama’s “record shows virtually unrelenting hostility toward gun ownership,”¹⁹ and he would be “a serious threat to Second Amendment liberties.”²⁰

If the NRA held sway among a significant block of gun owners, Obama should have been easy to caricature as an “anti-gunner.” For one, Obama solidly supported the gamut of strong gun laws, providing an extensive track record to attack . . . and distort. Second, the major gaffe that he made during the campaign – his reference to “bitter” people who “cling” to their guns – provided a ripe opportunity for the NRA to drive a wedge between Obama and gun owners. Additionally, there were cultural differences between Obama and the typical gun owner. Obama never claimed to hunt, or target shoot, or to have ever owned a gun. Indeed, Obama comes from

Hawaii, attended universities in California, New York, and Massachusetts, and settled in Chicago, Illinois, none of which are considered “gun country.” And there were potential racial divisions, which NRA higher-ups have not been averse to playing to in the past.²¹ The NRA had a lot of ammunition to sow the seeds of division between Obama and gun owners.

The NRA certainly fired all of its ammunition to convince gun owners to vote against Obama-Biden.



Photo from the NRA’s website gunbanobama.com

The NRA put aside its past differences with McCain and welcomed him at its convention in May 2008, endorsed him on October 9, 2008, and allocated vast resources towards defeating Obama and electing McCain. The NRA trumpeted Sarah Palin as its champion, even as she became an historically unpopular drag on the Republican ticket.

The NRA’s campaign against Obama was well-funded and multi-faceted. The money marshaled by the NRA against Obama dwarfed what it spent in the past two Presidential elections.²² In 2000, the NRA spent \$212,695 against Al Gore, and about \$2 million in support of George W. Bush.²³ In 2004, the NRA spent about \$1.86 million against John Kerry, and about \$1.8 million for Bush. But in 2008, the



NRA anti –Obama mailing

NRA spent \$6.67 million against Obama – **over thirty-one times the amount it spent in its negative efforts against Al Gore in 2000**, and over three times more than the amount spent against the Democratic candidates in 2000 and 2004 combined. Additionally, the NRA also spent \$250,000 in favor of McCain. **In the final week of the 2008 race, the NRA spent nearly four times as much money to oppose Obama than it did to oppose Gore in the entire 2000 campaign.**

Even before endorsing McCain, the NRA had already spent \$2.3 million on attack ads against Obama.²⁴ The NRA launched a web site dedicated solely at defeating Obama, www.gunbanobama.com, which trumpeted, “OBAMA WOULD BE THE MOST ANTI-GUN PRESIDENT IN AMERICAN HISTORY.” The website featured a Mussolini-esque picture of a sneering Obama and “Barack Obama’s 10 Point Plan to ‘Change’ the Second Amendment,” which FactCheck.org called a “cherry-picked, twisted and misinterpreted” version of Obama’s record.²⁵ The ‘plan’ stated that Obama would: “(1) Ban use of firearms for home self-defense; (2) Pass federal laws eliminating your right-to-carry; (3) Ban the manufacture, sale and possession of handguns; (4) Close down 90 percent of the gun shops in America; (5) Ban rifle ammunition commonly used for hunting and sport shooting; (6) Increase federal taxes on guns and ammunition by 500 percent; (7) Restore voting rights for five million criminals including those who have been convicted of using a gun to commit a violent crime; (8) Expand the Clinton semi-auto ban to include millions more firearms; (9) Mandate a government-issued license to purchase a firearm; and (10) Appoint judges to the U.S. Supreme Court and federal judiciary who share his views on the Second Amendment.”



NRA mailer and flier; on gunbanobama.com

In addition to being featured on gunbanobama.com, the ‘plan’ was circulated by the NRA as a flier and mailer in a form that looked as if it were sent by the Obama campaign, using the campaign’s logo, font and colors.

The NRA employed television, radio, and other print ads as well, highlights of which appear below, earning criticism from fact checkers that the ads were “misleading,”²⁶ “intentionally dishonest,”²⁷ “pants on fire wrong,”²⁸ “a huge stretch,”²⁹ “exaggerated,”³⁰ “unsubstantiated”³¹ and “distort[] Obama’s position on gun control beyond recognition.”³² One reporter monitoring radio ads in New Mexico noted that “NRA ads warning about the implications of an Obama administration for gun rights are nearly ubiquitous.”³³

The NRA ran television ads in Colorado, Florida, Michigan, Minnesota, Missouri, Nevada, New Mexico, Ohio, North Carolina, Pennsylvania, Texas, Virginia, and Wisconsin.³⁴ Consistent among the ads were misstatements about Obama’s “radical” positions on guns, and common was the theme that Obama threatens “our way of life”³⁵ in America and makes us unsafe in our homes. One ad, featuring a retired Texas police officer, said that “families should be able to defend themselves against rapists, drug dealers and other criminals illegally crossing

our borders” but that Obama would strip families of their gun rights and render them defenseless.³⁶ Another ad asked the viewer to “Imagine your child screaming in the middle of the night when a convicted felon breaks into your home” and then told viewers that Obama voted “to deny citizens the right of self-protection, even in their home.”³⁷

The NRA placed a print ad entitled “On Second Amendment rights Obama fails,” stating that “Barack Obama isn’t on the side of gun owners” and that “If Obama wins, you lose.”³⁸ The NRA spent \$100,000 on an ad in USA Today entitled “Hillary was right: You can’t trust Obama with your guns.” That ad stated that “Although he is now trying to run from his anti-gun past, Barack Obama would be the most anti-gun president in American history.”³⁹

The NRA contacted newspapers in battleground states like Indiana, Kentucky, Ohio and Virginia about wrapping newspapers for home delivery in the days leading up to the presidential election in plastic bags with an advertisement reading “Vote Freedom First. Defend Freedom. NRA. Defeat Obama.”⁴⁰ The Virginian-Pilot, The Richmond Times-Dispatch, and The Courier-Journal rejected the ad proposal, but seven newspapers accepted, including the Lexington Herald-Leader, the Bowling Green Daily News, the Elizabethtown News-Enterprise, and the Zanesville Times Recorder. The advertisement scheme drew criticism from some media professionals who claim that the type of ad confuses readers by making it difficult to discern if the newspaper’s point of view is portrayed on the bag or the views of another party.⁴¹

The NRA’s monthly magazine, America’s First Freedom, beat the drum even louder throughout the presidential race to scare its readers into the McCain camp. The magazine featured stories about Obama and the danger he allegedly posed to Second Amendment rights throughout 2008, averaging at least two such stories per issue, and featured Obama on the cover of the October and November 2008 issues. The magazine stated that “[i]f Barack Obama takes the White House, he will nominate [to the Supreme Court] enemies of the Second Amendment. That is a sure thing”⁴² and that “[n]o matter Obama’s current position, **no major party presidential nominee has probably ever had as strong and consistent an anti-gun record.** Here is a politician who supported a ban on handguns in 1996, backed a ban on the sale of all semi-automatic guns in 1998 (a ban that would encompass the vast majority of guns sold in the U.S.), advocated in 2004 banning gun sales within five miles of a school or park (essentially a ban on virtually all gun stores), as well as served on



NRA ad published in USA Today

Obama Overcomes “Bitter-gate”

“Bitter-gate” was a rare gaffe for Obama, and made the NRA’s job easier. But Obama nonetheless won heavily gun states, underlining how little sway the NRA held among significant segments of voters.

In the midst of Obama’s primary battle with Hillary Clinton, on April 11, 2008, The Huffington Post website posted a recording in which Obama, at a San Francisco fundraiser, said:

You go into these small towns in Pennsylvania and – like a lot of small towns in the Midwest – the jobs have been gone for 25 years, and nothing’s replaced them. And they fell through the Clinton administration and the Bush administration, and each successive administration has said that somehow these communities are going to regenerate and they have not. **It’s not surprising that they get bitter, they cling to guns or religion** or antipathy to people who aren’t like them, or anti-immigrant sentiment or anti-trade sentiment, as a way to explain their frustrations.

Obama later explained that while his words were ill-chosen, he meant to recognize the cultural significance of guns (and faith), but by then the sound bite had entered the media maw. Obama’s political opponents tried to use the statement to caricature him as an elitist who looked down on gun owners (and church-goers).

The NRA tried to make “bitter-gate” into a rallying cry for gun owners to oppose Obama. In July, the NRA announced that it would spend \$40 million on the 2008 elections by saying, “We look forward to showing him [Obama] ‘bitter.’”⁴³ The NRA even sold yard signs (for \$15.95 each) proclaiming, “I’m a BITTER Gun Owner & I VOTE.”



But it still didn’t work to sway a significant block of voters against him.

the board of the Joyce Foundation, probably the largest private founder of anti-gun and pro-ban research in the country.”⁴⁴ The NRA’s insults were sometimes comical, such as when its President stated that “Telling gun owners to vote for Obama is like telling chickens to vote for Colonel Sanders.”⁴⁵ On the Sunday before the election, former NRA president Sandy Froman summed up in an op-ed in a Colorado newspaper that “the stakes for gun owners in 2008 are higher than ever.”⁴⁶

NRA leadership personally traveled around the country to support McCain and defeat Obama. The NRA’s Executive Vice President, Wayne LaPierre, and NRA Political Victory Fund Chairman Chris Cox personally traveled to Pennsylvania, Missouri, Colorado, and Nevada for a series of press conferences to endorse the McCain-Palin ticket.⁴⁷ Wayne LaPierre traveled to Minnesota for rallies with Gov. Palin’s husband Todd to support Senator Norm Coleman’s re-election.⁴⁸ Former NRA President Sandra Froman traveled to Pennsylvania and Kansas to endorse the Republican ticket.⁴⁹

West Virginia Miners Tell NRA, You're Not Welcome Here

On September 29, 2008, over 440 members of the United Mine Workers of America (UMWA) stopped work at the Blacksville No. 2 mine in West Virginia in protest over the filming of an anti-Obama ad by the NRA. The UMWA had announced its endorsement of Obama, yet the NRA film crew, who was given permission to film by the mine's owners, asked miners: "How do you feel about having your Second Amendment rights taken away if Obama becomes president?" The miners called union headquarters and the union president declared a day of protest over the NRA's attempt to use union miners for political purposes. A union member said of the NRA: "A lot of the miners felt that this was a direct slap in the face of the union because they were trying to coerce our people into saying things against Barack Obama." The NRA claimed that the protest "is clearly mischief driven by the Obama campaign,"⁵⁰ but the episode proved an embarrassing rebuke to the gun lobby by the very union members it was attempting to court.⁵¹

The NRA may have ultimately spent substantially less than the \$40 million it promised to spend, which in itself is an indictment of its effectiveness. It suggests that either the NRA could not raise enough money to fulfill its plans, or the NRA realized that its efforts were not having their desired effects so it decided to curtail spending.

John McCain appeared to feel that opposition to reasonable gun laws was not a winning message in the general election for, in contrast to Barack Obama's prominent mention of guns in his convention acceptance speech, McCain did not mention the issue in his ads, and certainly did not emphasize it on the stump. Even Sarah Palin did not make guns a prominent part of her campaign speeches, even though her standing among gun owners was supposed to be one of the attributes that she brought to the ticket.

In the last days of the campaign, however, the Republican National Committee did try to use the NRA's anti-Obama message to win certain states.⁵² Days before the election, it was reported that the RNC made a major radio ad buy in Colorado, Missouri, Montana, North Carolina, Ohio, Pennsylvania, Virginia, and West Virginia, recycling many of the NRA's arguments.

VOTERS SUPPORTED PRO-GUN CONTROL CANDIDATES, AND REJECTED THE NRA MESSAGE IN THE PRESIDENTIAL ELECTION

The NRA's endorsement and media onslaught failed. Even after Obama's much-publicized "bitter" gaffe, Obama won convincingly, including in many states with broad gun ownership and NRA membership. The 2008 elections demonstrated – not for the first time – that voters support candidates who favor strong gun laws and reject the gun lobby's extremist agenda.

The NRA could not deliver a significant block of single-issue "NRA voters" to elect John McCain and Sarah

"If Barack Obama becomes president, your Second Amendment right to defend yourself could be in danger. In fact, in Illinois, Obama voted to prosecute law-abiding citizens who used a gun to defend themselves or their families."

"Obama supports local governments to ban guns. Obama wants to license and register gun owners. Obama opposes judges who protect our Second Amendment right."

— RNC radio ad

Palin. Either the numbers of single-issue “NRA voters” were insignificant, even in states with heavy rates of gun ownership, or gun owners did not believe the NRA and did not mind voting for a candidate who the NRA promised would be the most “anti-gun” President in history. There is evidence that even NRA members had a hard time accepting their organization’s message that Obama was “anti-gun.” *Congressional Quarterly* reported:

After the NRA sent out an e-mail last month attacking Obama, the group was surprised by the backlash it received. “Amazingly, some people still don’t believe Obama is radically anti-gun,” a follow-up message sent the next week said. “Some have gone so far as to claim that NRA was actually misrepresenting Obama’s anti-gun positions.”⁵⁵

What is undeniable is that the NRA could not sway the presidential election – or the nomination battles, or races in the Senate, House and state legislatures.

Voters certainly understood the divide between the two tickets on gun issues. A poll issued days before the election found that 63% of voters thought it was more likely that Obama would restrict gun rights, compared with 16% for McCain.⁵⁶ Yet Americans solidly voted for Barack Obama and Joe Biden. Voters supported Obama and Biden across the country, including in states with heavy gun ownership and NRA membership. For example, Pennsylvania, reportedly the state with the most NRA membership per capita,⁵⁷ convincingly voted for Obama.

In state after state, even in red states with high rates of gun ownership, results in the Presidential race proved that support for common sense gun laws can win votes, and is not politically lethal.

Obama’s strong showing in other states with significant numbers of gun owners also suggests that his support for strong gun laws was hardly an obstacle – even in some states that are historically “bright red.” For example:⁵⁸

- In Georgia, where 40.3% of the population own guns, Obama received 47% of the vote to McCain’s 52%.

States with Significant Gun Ownership Won by Obama⁵³		
STATE	Result (Obama listed first)	% gun owners⁵⁴
Colorado	53% - 45%	34.7
Indiana	50% - 49%	39.1
Iowa	54% - 45%	42.8
Maine	58% - 41%	40.5
Michigan	57% - 41%	38.4
Minnesota	54% - 44%	41.7
Nevada	55% - 43%	33.8
New Hampshire	54% - 45%	30.0
New Mexico	57% - 42%	34.8
North Carolina	50% - 49%	41.3
Ohio	51% - 47%	32.4
Oregon	57% - 41%	39.8
Pennsylvania	55% - 44%	34.7
Vermont	67% - 32%	42.0
Virginia	53% - 47%	35.1
Washington	58% - 41%	33.1
Wisconsin	56% - 42%	44.4

How States with NRA TV Ads Voted⁵⁹	
State	Result (Obama listed first)
Colorado	53% - 45%
Florida	51% - 48%
Michigan	57% - 41%
Minnesota	54% - 44%
Missouri	49% - 50%
Nevada	55% - 43%
New Mexico	57% - 42%
Ohio	51% - 47%
N. Carolina	50% - 49%
Pennsylvania	55% - 44%
Texas	44% - 56%
Virginia	53% - 47%
Wisconsin	56% - 43%

- In Missouri, where 41.7% of the population own guns, Obama received 49% of the vote to McCain’s 50%, a gap of less than 6,000 votes.
- In Montana, where 57.7% of the population own guns, Obama received 47% of the vote to McCain’s 50%.
- In South Dakota, where 56.6% of the population own guns, Obama received 45% of the vote to McCain’s 53%.

The results in states in which the NRA advertised on television against Obama were no different. Indeed, Obama won eleven of the thirteen states in which the NRA ran TV ads, only losing Missouri by 1%, and Texas, a solid red state, by 12%.

Voters in states where the NRA leadership visited on their “endorsement tour” voted solidly against the NRA-backed ticket, backing Obama in four of those five states. Obama won six of the eight states where the RNC ran gun ads, losing only Missouri by less than 6,000 votes, and West Virginia, which was

never clearly in his sights.

PRIMARY VOTERS IN BOTH PARTIES SUPPORTED CANDIDATES WHO FAVOR COMMON SENSE GUN LAWS, AND REJECTED NRA CANDIDATES

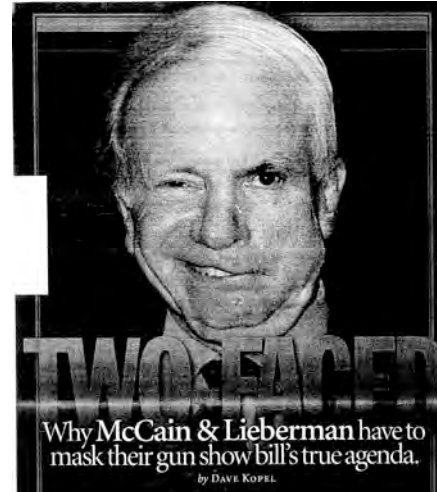
2008 not only showed that the NRA holds little sway with a significant number of voters in general elections. It showed that its voice is no more influential in the nomination process. Indeed, fealty to the NRA agenda may well be a kiss of death for those interested in gaining the Democratic nomination. But support by the gun lobby is far from a path to victory even for the Republican nomination.

REPUBLICAN PRIMARY VOTERS REJECTED NRA CANDIDATES, OVERWHELMINGLY SUPPORTED THE NRA’S LEAST-FAVORED CANDIDATE

If there is any place where the NRA should be a king-maker, it is in the Republican primaries.⁶⁰ Yet the fight for the GOP nomination showed that the NRA is far from a king-maker in the Republican party.

In 2008 Republican primary voters – generally thought to be the party’s conservative base – were presented with an array of “A” rated NRA candidates.⁶¹ Yet those voters chose the candidate with one of the worst ratings from the NRA, who the NRA had famously called “**one of the premier flag carriers for the enemies of the Second Amendment.**”⁶² Senator McCain co-sponsored federal legislation to require background checks at gun shows, and even appeared on television advertisements in support of similar state referendums to close the gun show loophole –

a proposal that the NRA had told its members was a “**cynical attack on our rights**”⁶³ and “a cornucopia of poison pills that would allow a future anti-gun executive branch to **shut down gun shows entirely.**”⁶⁴ The NRA said that the phrase ‘gun show loophole’ is an audacious lie, invented by people who want to abolish privacy for firearms owners”⁶⁵ and that “[i]n the end, the deceit behind this to further restrict the rights of law-abiding citizens serves more than a corrupt political agenda. By extension, it lends support to those who hate America’s freedom and seek to destroy our way of life.”⁶⁶”



America’s First Freedom, NRA Magazine, September 2002

The NRA also condemned McCain’s campaign finance reform legislation as an attack on the gun lobby’s freedom, complaining that “This could effectively prohibit the NRA from even mentioning in a public mailing which candidate it supports or opposes.”⁶⁷

Yet **McCain won the Republican nomination overwhelmingly.** He **even handily won in states with many gun owners**, such as Texas, Pennsylvania, South Carolina, North Carolina, Oklahoma, Kentucky, Missouri, Mississippi, Idaho, and Ohio. In Mississippi, he won 79% of the primary vote;⁶⁸ in North Carolina, 74%;⁶⁹ in Pennsylvania, 73%;⁷⁰ in Kentucky, 72%;⁷¹ and in Idaho, 70%.⁷²

Additionally, one of McCain’s major rivals for the nomination was Mitt Romney, who was the only other NRA rated candidate in the Republican primaries who did not get an “A.” While Governor of Massachusetts, Romney had supported some reasonable gun laws, such as restrictions on assault weapons,⁷³ but that was no problem to voters in Wyoming, Utah, Montana, Colorado, Nevada, Alaska, and North Dakota, where he won in the primaries. Together, McCain and Romney — **two candidates who did not receive “A” ratings from the NRA — won a combined 85% of the Republican primaries and 85% of the pledged delegates** (1,846 out of 2,159). If single-issue “NRA voters” were significant players in the Republican base, these results would be difficult to explain.

Polls taken during the campaign also suggest that gun owners supported candidates who favored strong gun laws, and rejected candidates who toed the NRA line. A **Gallup poll** taken early in the campaign, in May 2007, found that **gun owners favored the Republican presidential candidates who were most supportive of strong gun laws — almost exactly opposite of the NRA’s preferences.**

The poll found that gun owners viewed former New York Mayor Rudy Giuliani more favorably than any other presidential candidate.⁷⁴ Giuliani not only supported reasonable gun laws that the NRA opposes, he filed a lawsuit against the gun industry that became a poster child of NRA-backed legislation to deprive cities and gun violence victims of their right to sue. Yet almost twice as many gun owners viewed Giuliani

favorably than Fred Thompson, a loyal supporter of the NRA agenda.⁷⁵ Further, the poll was taken months before Giuliani's appearance before the NRA on September 21, 2007, when he sought their support.

McCain, the second "worst" candidate from the NRA's point of view, rated second best for gun owners, viewed favorably by 56%. (And Barack Obama, who received an "F" rating from the NRA, was viewed favorably by 45% of gun owners, more than Thompson or Romney.) While gun owners may have supported Giuliani less than other Republican voters, the fact remains that in both parties, gun owners supported candidates who favored strong gun laws that were vehemently opposed by the NRA. And even though McCain – and Romney and Giuliani – ended up seeking the NRA endorsement and "de-emphasizing" their previous record on guns, they still could not compete on guns with candidates such as Fred Thompson and Mike Huckabee who had solid "pro-NRA" records.

**Rudy Giuliani, Favored
Among Gun Owners in Gallup Poll,
On the NRA**

"When a National Rifle Association member opposed a ban on assault rifles in 1994, Mr. Giuliani really got annoyed. 'Now the reason why *the N.R.A. has lost all credibility* is statements like that," he said. "By definition these are attack weapons. They are used for offense. *It really is absolutely astounding that the N.R.A. continues to have influence in areas in which they make no sense at all.*"

— The New York Times, October 5, 2007

One conclusion is undeniable: even Republican primary voters overwhelmingly supported candidates who had supported some sensible gun laws that were strongly opposed by the NRA. **Single-issue "NRA voters" were not decisive to the outcome in the Republican primaries, even in states where gun owners are abundant. Support for reasonable gun laws was no barrier to winning in the Republican primaries.**

**DEMOCRATIC PRIMARY VOTERS REJECTED NRA CANDIDATES
AND ANTI-GUN CONTROL ATTACKS ON OBAMA**

In the Democratic primaries, voters were faced mostly with candidates who were rated "F" by the NRA – and in the primaries that condemnation was worn as a badge of honor. In debates, the top candidates made their support for reasonable gun laws loud and clear.

One candidate, **Bill Richardson**, did not receive an "F"; he was "**A**" rated by the NRA. His campaign went nowhere. He left the race on January 9, having failed to pick up a single delegate and with only **1% of the vote**.⁷⁶ The best he did was finish fourth in the New Hampshire primary with 5% of the vote and in the Iowa caucus with 2%.⁷⁷

In the Democratic primaries, support for reasonable gun laws is not only no barrier to victory, it may well be necessary for victory. Opposition to reasonable gun laws is not popular with Democratic primary voters, to say the least.

**TO AVOID POLITICAL IRRELEVANCE, THE NRA WAS FORCED TO SUPPORT A
“PREMIER FLAG CARRIER[]FOR THE ENEMIES OF THE SECOND AMENDMENT”**

After the voters in both parties rejected those candidates who loyally supported the NRA agenda, the NRA was left to face the reality that the two major parties had chosen two candidates who, in the NRA’s eyes, were threats to ‘freedom.’ The NRA recognized that if it wanted to even participate in the political mainstream at the Presidential level in 2008, it had to throw its support behind a candidate who for years it had deemed unacceptable. The candidate who truly represented its agenda was a minor fringe candidate, Libertarian Party nominee and NRA Board of Director member Bob Barr, who had an A+ rating from the NRA.

The NRA endorsed the McCain-Palin ticket, finding it the far lesser of two evils compared to Obama-Biden.

Before 2008, the NRA had come to realize that its agenda was unpalatable to the general electorate, and that any candidate who hoped to win the presidency would have to reject at least some of the NRA’s extremist positions. In 2000 and 2004, the NRA supported George W. Bush, even though Bush felt it necessary to support gun control measures that the NRA sharply opposed. In both elections Bush vowed support of the federal assault weapons ban, usually a gun lobby litmus test for “anti-gun” bias. And rather than hide his professed support for common sense gun laws, in the third presidential debate in 2004, Bush stated that “we ought to extend the assault weapons ban” and “I believe in background checks at gun shows or anywhere to make sure that guns don't get in the hands of people that shouldn't have them.”⁷⁸ In 1996, the NRA had refused to endorse Bob Dole for taking the same position on assault weapons that Bush held.⁷⁹ (Obama’s support of the assault weapon’s ban earned him the vicious attack website from the NRA, www.gunbanobama.com.)

**THE NRA’s TRUE CANDIDATE WON
LESS THAN 1%**

Given that the NRA agenda is only supported by a small minority of the electorate, it should not be surprising that in recent elections those Presidential candidates who loyally supported the NRA were relegated to the fringes of the political scene. In 2008, the candidate most supportive of the NRA – its board member, “A+” rated Bob Barr – ran as a Libertarian, but only garnered less than 1% of the vote.

While third parties certainly face disadvantages compared to major parties, Barr’s paltry showing reflects at least a couple of things. First, as hard core, single-issue “NRA voters” would have voted for Barr, rather than the NRA’s “C” rated McCain, those voters represented no more than a portion of Barr’s under 1% of the vote. Second, only a candidate on the extreme fringes of the political spectrum, with no realistic chance of winning, was willing to fully embrace the gun lobby agenda.

Even the NRA realizes that fealty to its extremist agenda is unacceptable to the overwhelming percentage of voters, and is a path to the political hinterlands.⁸⁰

VOTERS SUPPORTED CANDIDATES IN SENATE, HOUSE AND STATE RACES WHO FAVOR SENSIBLE GUN LAWS, AND REJECTED THE NRA MESSAGE

The results in 2008 Senate, House and state races provided further evidence that voters will support candidates who favor reasonable gun laws and reject the gun lobby's extremism, even in the heart of gun country. Where voters were faced with a stark contrast between candidates who support common sense gun laws, and candidates who toe the gun lobby's line, voters generally supported candidates who favor reasonable gun laws.

In races for the U.S. Senate, at least four seats previously filled by opponents of common sense gun laws went to candidates who take more reasonable positions, all in states with significant gun ownership. In North Carolina, "A" rated/NRA endorsed incumbent Elizabeth Dole lost to "F" rated Kay Hagan, 53% to 44%. In New Hampshire, another "A" rated/NRA endorsed incumbent, John Sununu, lost to "F" rated Jean Shaheen, 52% to 45%.⁸¹ Two more "A" rated/NRA endorsed candidates lost in New Mexico and Colorado to Thomas Udall and Mark Udall, by 22% and 9% respectively, replacing two NRA allies.⁸²

The NRA's money was utterly ineffective. It spent over \$317,000 to try to reelect Elizabeth Dole, and put almost \$300,000 in independent expenditures toward losing candidates in New Mexico and Colorado. Of Senate races that have been decided as of publication,⁸³ the NRA spent over 90% of its independent expenditures to support candidates who were rejected by the voters. **In the eight U.S. Senate races where the Brady Campaign endorsed candidates who faced candidates endorsed or "A" rated by the NRA, Brady endorsed candidates won every single race.**

Brady Candidates Won Nationwide

- 90% of Brady endorsed candidates won nationwide.
- 100% of Brady endorsed candidates defeated NRA "A" rated or endorsed candidates in the U.S. Senate.
- 84% of Brady endorsed candidates defeated NRA "A" rated or endorsed candidates in the U.S. House.
- Among Democratic pick-ups in the House:
 - NRA lost 15 of 16 races
 - Brady won 7 of 8 races
- 91% of Brady endorsed candidates won state races.

NRA's Millions Failed to Affect Elections

The NRA's PAC spent millions of dollars in vain on losing campaigns:

- \$6.9 million to defeat Barack Obama and elect John McCain.
- \$317,5000 to retain a Republican U.S. Senate seat in North Carolina.
- \$290,000 to retain a Republican U.S. Senate seat in Colorado.
- Over 90% of independent expenditures in U.S. Senate on losing campaigns.⁸⁴

In the U.S. House, in matchups between Brady Campaign endorsed candidates and candidates either endorsed or "A" rated by the NRA, 84 percent of the Brady candidates won. **More than 90 percent of all Brady endorsed House members won.** Many of the NRA's top supporters were defeated, including incumbents Marilyn Musgrave in Colorado; Phil English in Pennsylvania; Ric Keller and Tom Feeney in Florida; and Joe Knollenberg in Michigan. Successful Brady endorsed candidates won even in states with a significant percentage of gun owners, like Maine (Chellie Pingree), Kentucky

(John Yarmuth), Iowa (Dave Loebsack) and Virginia (Gerry Connolly). Some Brady endorsed candidates who won House seats — like Alan Grayson in Florida and Gary Peters in Michigan — were considered underdogs for much of the election cycle.

The NRA did not ingratiate itself with new members of Congress, as it unsuccessfully attempted to defeat many of them. Out of the 21 Democratic pickups in the House (as of November 5, 2008, the time of publication), the NRA endorsed in 16 races and lost 15 of them. By contrast, the Brady Campaign endorsed in 8 of those races and won 7 of them — only losing Rep. Chris Shays (R-CT). Out of the 4 Republican pickups, NRA endorsed 3 races and lost all of them.

At the state level as well proponents of sensible gun laws won, and NRA supporters lost. The New York State Senate switched from Republican to Democratic control in part because of successful Brady Campaign endorsed candidates in two key races who campaigned aggressively on the gun issue. In addition, several Brady targeted incumbents in Illinois state legislative races were defeated. In the one governor's race that pitted a Brady endorsed candidate against an NRA-backed candidate, the Brady candidate — Jack Markel in Delaware — won. In state senate races, Brady endorsed candidates won 95% of their races, while over 91% of Brady endorsed state house candidates won.

The NRA actually did considerably worse than these results reflect, because it chose not to endorse many of its friends who appeared headed to defeat — probably to make its "won-loss" record appear better. For example, the NRA did not endorse in at least 61 Senate or House races where an "A" rated NRA candidate faced an "F" rated NRA candidate, and in 20 others where an "A" rated NRA candidate faced a lower rated candidate. **The "A" rated NRA candidate lost in every one of these races.** If these results are included, the percentage of NRA candidates who lost would be even greater.

To make matters worse for the NRA, it lost another member of its Board of Directors, Sen. Larry Craig (R-ID), who left office after his airport bathroom arrest led to a guilty plea.

Gun Lobby Reaction: “Gun Rights in Peril”

The silence from the NRA in the wake of the election was deafening. Two days later, as of the time of publication, its website bashed “Barack Obama’s judgment,” without even referring to him as President-elect. But another gun lobby group, the Gun Owners of America, assessed the scope of the defeat for gun lobby candidates in 2008 the day after the election. The GOA’s release, titled “Gun Rights in Peril,” stated that many pro-gun lobby candidates had lost to supporters of strong gun laws in the Senate and House, as well as the White House:

- “President-elect Barack Obama will be the most anti-Second Amendment president in the history of America.”
- “Many seats that flipped parties went from strong pro-gun to strong anti-gun.”
- “Gun owners suffered heavy losses in the Senate.”
- “In the battle for the U.S. House of Representatives, gun owners also were hit hard. Of the 19 incumbents who were defeated, 15 were pro-gun (only two were replaced by a pro-gunner). Of particular disappointment to gun owners were the losses of Republican representatives Marilyn Musgrave (CO-4), Tom Feeney (FL-24), Bill Sali (ID-1), and Tim Walberg (MI-7). These representatives were among the most ardent Second Amendment supporters.”
- “[T]he new Congress has moved decidedly in the anti-gun direction and many pro-gun leaders were defeated.”

**DISPELLING THE MYTH OF THE SINGLE-ISSUE NRA GUN VOTER BLOCK:
"NRA VOTERS" WERE NOT SIGNIFICANT IN THE 2008 ELECTIONS**

2008 was far from the first time that NRA candidates have been rejected by voters, while candidates supportive of reasonable gun laws have won. For example, in 2006, 80% of Brady endorsed candidates beat NRA endorsed candidates in head-to-head matchups. That year, Brady-backed candidates won over 95% of their races; the NRA spent over 80% of its independent expenditures on losing candidates. If the NRA could actually deliver a significant block of single-issue gun voters that made a difference in the elections, these results could not have happened.

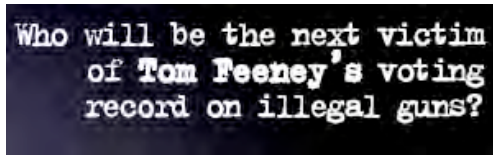
But the NRA has consistently won the battle of post-election spin, so much so that it has retained its reputation of political might even when the facts continually prove otherwise. Even when the NRA loses at the ballot boxes, it frequently wins in post-election spin wars.

In 2008, the NRA's supposed electoral power was again exposed as a myth. The **NRA simply could not deliver single-issue gun voters in numbers significant enough to affect elections – even in states with many gun owners.** And the fact that the NRA suffered similarly dismal results in 2006 and in other elections make it clear that 2008 was not simply an isolated extraordinary event.

Bloomberg Targets Gun Lobby Allies

While most of the money spent on the gun issue in the elections came from the NRA, New York Mayor Michael Bloomberg's Americans United for Safe Streets (AUSS) effectively targeted some gun lobby allies with mailings exposing their record, including:

- **Congressman Tom Feeney (R-FL)** paid the price for supporting legislation that restricts police access to vital information about gun crimes and other gun lobby bills. His constituents received forceful mailings from AUSS alerting them that "17,000 guns were recovered from crime scenes across the state of Florida last year. But that didn't stop CONGRESSMAN TOM FEENEY from voting to support the lawbreaking gun dealers who arm criminals." The NRA "A+" rated Feeney lost to Brady Campaign endorsed Suzanne Kosmas.



- **Congressman Joe Knollenberg (R-MI)**'s constituents received similar mailings from AUSS informing them that he had voted for the gun lobby's bill (H.R. 5092) to protect corrupt gun dealers, and other gun lobby legislation. The NRA "A" rated Knollenberg lost to Brady endorsed challenger Gary Peters.
- **Congressman Steve Chabot (R-OH)** lost his seat after AUSS mailings informed his district that he had voted for gun lobby bills that allowed lawbreaking gun dealers to continue selling for 60 days even after they lose their licenses, and restricted police access to vital information about gun crimes.



This is not to suggest that Obama won just *because* of his pro-gun control positions, or that guns were the dominant issue in the campaign. But that is part of the point. The NRA's purported strength has always been the perception that for a significant portion of the electorate – “NRA voters” – guns will always be *the* dominant issue. Although solid majorities of Americans support strong gun laws, the NRA argues that “NRA voters” will not forgive politicians who betray them, while gun control supporters will give a pass to candidates who have the “wrong” views on guns but are “right” on education, civil rights, foreign policy, the environment, or other issues. So, the NRA argument goes, a pro-NRA vote can gain the support of the small minority of single-issue voters, without costing many (if any) of the vast majority of gun control voters. That's the theory behind why (according to the NRA) it makes political sense to cater to a lobby whose views are opposed by solid majorities of 70% or more. The NRA's influence derives by inducing fear in politicians that if they do not do its legislative bidding, they will face certain defeat at the ballot boxes.

Most Americans, and Most Gun Owners, Support Sensible Gun Laws

Solid majorities of Americans, including most gun owners, support common sense gun laws. Polling conducted March 31 - April 3, 2008 by Greenberg Quinlan Roser Research and the Tarrance Group found:

- 71% say stopping gun violence is very important.
- 87% (and 83% of gun owners) favor universal background checks – requiring Brady background checks of buyers for all gun sales, including at gun shows.
- 78% are more likely to vote for a presidential candidate who supports universal background checks.
- 89% (and 89% of gun owners) favor closing the terror gap – prohibiting people on the terrorist watch lists from purchasing guns.
- 78% are more likely to vote for a presidential candidate who supports closing the terror gap.

A November 2003 NBC News/Wall Street Journal poll found:

- 78% support a federal ban on the sale of assault weapons.

There are broad implications of the NRA's decisive defeat.

If the NRA cannot deliver a decisive block of single-issue voters, and its advertising dollars can't sway elections, then it is exposed as simply a well-funded special interest lobby that furthers an extremist agenda that prevents our nation from sensibly dealing with an epidemic of gun violence that claims about 30,000 lives in America each year. Further, as overwhelming majorities of Americans (including most gun owners) favor the common sense gun laws opposed by the gun lobby, both policy and political reasons counsel supporting a strong, reasonable response to gun violence.

CONCLUSION: MOVING TOWARDS A NEW CONSENSUS ON GUNS

**“We are not as divided as our politics suggest.”
— Barack Obama**

The 2008 elections may well represent a watershed moment in American history, a turning point in which Americans rejected the politics of division and distraction, of wedge issues, single-issues, and “cultural” issues, as the extremists on both sides of the debate on a host of issues lost ground to those in the reasonable middle. That was a major part of Barack Obama’s winning message throughout his campaign — that “we are not as divided as our politics suggest,”⁸⁵ and that Americans can come together to solve our problems in a way that is respectful of both sides, but ultimately committed to seriously addressing our national problems.

That was Obama’s message on guns. As he explained in his nomination acceptance speech, we can respect and not interfere with law-abiding gun owners who choose to own a gun for home defense or recreation, but at the same time keep criminals from arming themselves with military-style assault weapons. The same is true with many other reasonable gun policies. Whether the proposal is requiring background checks for all gun sales, barring terrorists from buying guns, or cracking down on corrupt gun dealers, the rights of law-abiding gun owners can be preserved. Solid majorities of Americans, including gun owners, favor enacting these and other reasonable policy responses to the epidemic of gun violence that claims 30,000 lives in America every year. There should now be a renewed momentum to enact common sense gun laws.

Obama’s message should have a particularly broad appeal now that the Supreme Court, in its June 2008 decision in *District of Columbia v. Heller*, held that the government cannot totally ban guns, and that broad categories of gun laws are presumptively constitutional. The Court made clear that the NRA’s slippery slope “nightmare scenario” — that an “anti-gun” government can (and will) take away your guns — cannot happen in America. The Court also removed the other extreme from the policy debate, making it clear that the Constitution does not mandate the NRA’s “any gun, anywhere” agenda. This decision deprives the NRA of the ability to scare gun owners away from supporting candidates who they would otherwise favor, and leaves our gun policy options in the reasonable middle, where most Americans are. Recognition of this new reality will lead to the NRA’s political influence continuing to wane. Our political leaders should responsibly address our pressing gun violence problems by enacting the common sense gun laws we need — and the overwhelming majority of Americans want.

ACKNOWLEDGEMENTS

The Brady Campaign to Prevent Gun Violence is a national non-profit organization working to reduce the tragic toll of gun violence in America through its legislative and grassroots mobilization efforts, along with its network of Million Mom March Chapters. These efforts are complemented by the programs of the Brady Center to Prevent Gun Violence.

“Guns and the 2008 Election” was written by Jonathan Lowy, with substantial assistance from Robyn Steinlauf, and additional help from Sarah McLemore and Molly Warren, as well as Paul Marchione, Doug Pennington, and David Churchill. If you have questions about any part of this report, or would like a copy, please write to Brady Campaign to Prevent Gun Violence, 1225 Eye Street, N.W., Suite 1100, Washington D.C. 20005. The report is also available at: www.bradycampaign.org.

Cover photograph of Barack Obama and Joe Biden from 2008 Democratic National Convention.

Quote from Barack Obama’s acceptance speech, Democratic National Convention, Denver, CO (Aug. 28, 2008).

ENDNOTES

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- ¹ <http://thehill.com/leading-the-news/mccain-has-work-to-do-with-gun-owners-nra-2008-04-09.html>.
- ² John C. Sigler, *Obama-Biden a clear and present danger*, AMERICA'S FIRST FREEDOM, Nov. 2008, at 10.
- ³ *Id.*
- ⁴ *Id.*
- ⁵ See www.gunbanobama.com.
- ⁶ See, e.g., John C. Sigler, *Pretenders dressed as patriots*, AMERICA'S FIRST FREEDOM, July 2008, at 10.
- ⁷ Press Release, Brady Campaign to Prevent Gun Violence, Jim and Sarah Brady, Brady Campaign Endorse Barack Obama and Joe Biden (Oct. 13, 2008) (available at: <http://www.bradiycampaign.org/media/release.php?release=1040>).
- ⁸ See www.bradyvoter.org/presidential.php; *NRA targets Obama*, FactCheck.org, Sept. 22, 2008, available at: www.factcheck.org/elections-2008/print_nra_targets_obama.html (last visited Oct. 23, 2008); Interview by CHICAGO SUN TIMES with Barack Obama, Apr. 25, 2008; Interview by EBONY MAGAZINE with Barack Obama, Dec. 31, 2007; Barack Obama News Conference, Milwaukee, WI, Feb. 15, 2008.
- ⁹ Interview by PITTSBURGH TRIBUNE REVIEW with Barack Obama, Mar. 13, 2008.
- ¹⁰ *Id.*
- ¹¹ *Id.*
- ¹² Barack Obama news conference, Chicago, IL, June 25, 2008.
- ¹³ Mike Wereschagin & David M. Brown, *Candidates' gun control positions may figure in Pa. vote*, PITTSBURGH TRIBUNE REVIEW, Apr. 2, 2008.
- ¹⁴ Barack Obama campaign statement on the U.S. Supreme Court decision in *District of Columbia v. Heller*, June 26, 2008.
- ¹⁵ Barack Obama, Acceptance Speech at the Democratic National Convention (Aug. 28, 2008).
- ¹⁶ *Palin took socially conservative stands in 2006 election*, ANCHORAGE DAILY NEWS, Sept. 4, 2008 (emphasis added).
- ¹⁷ NRA website, <http://www.nraila.org/legislation/read.aspx?id=4156>.
- ¹⁸ Jonathan Martin, *NRA plans \$40M fall blitz targeting Obama*, POLITICO, July 1, 2008.
- ¹⁹ Dave Kopel, *When Obama Wrestles with Heller*, AMERICAN'S FIRST FREEDOM, Oct. 2008, at 33.
- ²⁰ See <http://www.gunbanobama.com/Default.aspx?NavGuid=530ecfa4-ae4e-4819-97e6-892463d99f08>.
- ²¹ See examples at <http://nraleaders.com/>.
- ²² See http://www.opensecrets.org/preso8/index_indiv.php?cycle=2008&cid=N00006424.
- ²³ Federal Election Commission forms require the party spending money to state if the funds are allocated toward supporting or opposing a candidate.
- ²⁴ *Editorial: The NRA two-step*, LA TIMES, Oct. 13, 2008, available at: <http://www.latimes.com/news/opinion/la-ed-guns13-2008oct13,0,1084160.story>.
- ²⁵ *NRA targets Obama*, FactCheck.org, Sept. 22, 2008, available at: www.factcheck.org/elections-2008/print_nra_targets_obama.html (last visited Oct. 23, 2008).
- ²⁶ <http://politicalticker.blogs.cnn.com/2008/09/23/fact-check-does-obama-want-to-ban-guns-and-rifles/> (last visited Nov. 3, 2008).
- ²⁷ <http://www.politifact.com/truth-o-meter/statements/709/> (last visited Nov. 3, 2008).
- ²⁸ *Id.*
- ²⁹ http://voices.washingtonpost.com/fact-checker/2008/09/nra_misfires_against_obama.html (last visited Nov. 3, 2008).

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- ³⁰ http://blog.cleveland.com/openers/2008/10/nra_eye_on_ohio.html (last visited Nov. 3, 2008).
- ³¹ *NRA targets Obama*, FactCheck.org, Sept. 22, 2008, available at: www.factcheck.org/elections-2008/print_nra_targets_obama.html (last visited Nov. 3, 2008).
- ³² *Id.*
- ³³ *It's the Little Things*, SLATE, Oct. 14, 2008, available at: <http://www.slate.com/id/2201952/>.
- ³⁴ Brooks Jackson, *The Rifle Association's 'true story'*, FACTCHECK.ORG / NEWSWEEK, Oct. 23, 2008, available at: www.newsweek.com/id/165307; *NRA's second wave*, POLITICO, Oct. 6, 2008; Ed O'Keefe, *NRA delivers new ad in Spanish*, WASHINGTON POST, Oct. 1, 2008.
- ³⁵ See <http://www.gunbanobama.com/Default.aspx?NavGuid=430d7335-d158-44f5-aab6-bb7d1226f3fa>.
- ³⁶ See <http://www.gunbanobama.com/Default.aspx?NavGuid=430d7335-d158-44f5-aab6-bb7d1226f3fa> (ad entitled "Texas Law Enforcement Officer").
- ³⁷ See <http://www.gunbanobama.com/Default.aspx?NavGuid=430d7335-d158-44f5-aab6-bb7d1226f3fa> (ad entitled "Imagine").
- ³⁸ See http://www.gunbanobama.com/Templates/c63367a2-996a-422c-9afd-0d6f49aoca86/Documents/NRA_F_ad_TheHill.pdf.
- ³⁹ NRA ad published in USA TODAY available at: http://www.gunbanobama.com/Templates/c63367a2-996a-422c-9afd-0d6f49aoca86/Documents/NRA_obamausatoday1009.pdf. *NRA ad uses Clinton's words against Obama on guns*, ASSOCIATED PRESS, Oct. 8, 2008.
- ⁴⁰ Len LaCara, *The truth about the NRA bag*, ZANESVILLE TIMES RECORDER, Oct. 31, 2008.
- ⁴¹ See Julian Walker, *NRA may have to bag Election Day ads opposing Obama*, THE VIRGINIAN-PILOT, Oct. 25, 2008; Jack Brammer, *NRA buys election ad on newspaper bags*, LEXINGTON HERALD-LEADER, Oct. 29, 2008; Len LaCara, *The truth about the NRA bag*, ZANESVILLE TIMES RECORDER, Oct. 31, 2008.
- ⁴² Wayne La Pierre, *An Individual Right Affirmed*, AMERICA'S FIRST FREEDOM, Aug. 2008, at 9.
- ⁴³ Jonathan Martin, *NRA plans \$40M fall blitz targeting Obama*, POLITICO, July 1, 2008.
- ⁴⁴ John R. Lott, Jr., *Obama's Shifting Positions Leave Questions Unanswered on Guns...*, AMERICA'S FIRST FREEDOM, Oct. 2008, at 64.
- ⁴⁵ John C. Sigler, *Pretenders Dressed as Patriots*, AMERICA'S FIRST FREEDOM, July 2008, at 10.
- ⁴⁶ *FROMAN: Election is key for gun owners*, ROCKY MOUNTAIN NEWS, Nov. 2, 2008, available at: <http://www.rockymountainnews.com/news/2008/nov/02/froman-election-key-gun-owners/>. Interestingly, Froman's argument implicitly conceded that after *Heller* a President Obama could not ban all guns, as she stressed that since *Heller* was decided 5-4, "after the *Heller* decision, Supreme Court nominations trump everything...This needs to be the standard that gun owners use in a post-*Heller* world."
- ⁴⁷ Press Release, NRA-PVF, *NRA-PVF Endorses John McCain and Sarah Palin for President and Vice-President* (Oct 9, 2008), available at: <http://www.nrapvf.org/news/Read.aspx?ID=11654&T=1>.
- ⁴⁸ *Todd Palin talks the Second Amendment in Minnesota*, WINONA DAILY NEWS, Oct. 17, 2008.
- ⁴⁹ *Huckabee stumps for McCain-Palin in Southwest Virginia*, BRISTOL HERALD COURIER, Oct. 30, 2008; *Pawlenty, former NRA leader in KC Friday to stump for McCain*, KANSAS CITY STAR, Oct. 30, 2008.
- ⁵⁰ Steven Greenhouse, *Mine workers protest anti-Obama ad*, THE NEW YORK TIMES, Oct. 2, 2008 & Courtney Dunn, *Blacksville #2 mine idle after 440 workers stay home*, WBOY-TV West Virginia, Sept. 29, 2008.
- ⁵¹ Steven Greenhouse, *Mine workers protest anti-Obama ad*, THE NEW YORK TIMES, Oct. 2, 2008 & Courtney Dunn, *Blacksville #2 mine idle after 440 workers stay home*, WBOY-TV West Virginia, Sept. 29, 2008.
- ⁵² Stuart Rothenberg *RNC, GOP tweak tactics to lure conservative Democrats*, Oct. 30, 2008, available at: <http://www.cnn.com/2008/POLITICS/10/30/rothenberg.tactics/>.

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- ⁵³ As of 5:30 p.m. EST, Nov. 6, 2008, the following states did not have all votes counted and results were calculated with: Colorado, Pennsylvania, Vermont, and Virginia, 99% of precincts reporting; Oregon and Washington, 67% of precincts reporting. See <http://elections.nytimes.com/2008/results/president/map.html>.
- ⁵⁴ For these purposes, states with over 30% gun ownership are classified as “significant gun ownership” states, using data from the North Carolina State Center for Health Statistics BRFSS Survey Results 2001 for Nationwide, the most recent year available. See www.schs.state.nc.us/SCHS/brfss/2001/us/firearm3.html.
- ⁵⁵ <http://www.cqpolitics.com/wmspage.cfm?docID=weeklyreport-000002921723&cpage=2>.
- ⁵⁶ Rasmussen Reports, *63% Say Obama More Likely to Restrict Gun Rights*, Oct. 31, 2008, available at: http://www.rasmussenreports.com/public_content/politics/election_20082/2008_presidential_election/63_say_obama_more_likely_to_restrict_gun_rights.
- ⁵⁷ Jonathan Martin, *NRA plans \$40M fall blitz targeting Obama*, POLITICO, July 1, 2008.
- ⁵⁸ As of 5:30 p.m. EST, Nov. 6, 2008, Georgia did not have all votes counted. Results were calculated with 99% of precincts reporting.
- ⁵⁹ As of 5:30 p.m. EST, Nov. 6, 2008, Colorado, Pennsylvania, and Virginia did not have all votes counted. Results were calculated with 99% of precincts reporting. See <http://elections.nytimes.com/2008/results/president/map.html>.
- ⁶⁰ See 10/31/08 Rasmussen Reports poll showing more gun ownership and less support for strong gun laws among Republicans than Democrats, available at: http://www.rasmussenreports.com/public_content/politics/election_20082/2008_presidential_election/63_say_obama_more_likely_to_restrict_gun_rights.
- ⁶¹ Mike Huckabee (A+), Sam Brownback (A), Duncan Hunter (A), Tom Tancredo (A), Ron Paul (A-), Fred Thompson (A).
- ⁶² James Bovard, *What’s happened to John McCain?*, AMERICA’S FIRST FREEDOM, July 2001, at 29.
- ⁶³ James Pate, *What doesn’t John McCain want you to know?*, AMERICA’S FIRST FREEDOM, Feb. 2002, at 44.
- ⁶⁴ Dave Kopel, *Two faced: Why McCain & Lieberman have to mask their gun show bill’s true agenda*, AMERICA’S FIRST FREEDOM, Sept. 2002, at 69.
- ⁶⁵ *Id.* at 68-9.
- ⁶⁶ James Pate, *What doesn’t John McCain want you to know?*, AMERICA’S FIRST FREEDOM, Feb. 2002, at 68.
- ⁶⁷ James Bovard, *What’s happened to John McCain?*, AMERICA’S FIRST FREEDOM, July 2001, at 30.
- ⁶⁸ See <http://www.cnn.com/ELECTION/2008/primaries/results/state/#MS>.
- ⁶⁹ See <http://www.cnn.com/ELECTION/2008/primaries/results/state/#NC>.
- ⁷⁰ See <http://www.cnn.com/ELECTION/2008/primaries/results/state/#PA>.
- ⁷¹ <http://www.cnn.com/ELECTION/2008/primaries/results/state/#KY>
- ⁷² See <http://www.cnn.com/ELECTION/2008/primaries/results/state/#ID>.
- ⁷³ Scott Helman, *Ex-governor woos Republican votes*, THE BOSTON GLOBE, Jan. 14, 2007.
- ⁷⁴ Poll available at www.gallup.com/poll/27652/Gun-Owners-2008-General-Election.aspx.
- ⁷⁵ *Id.*
- ⁷⁶ USA Today/Gallup Poll, Jan. 4-6, 2008, available at: www.usaelectionpolls.com/2008/polls/Gallup-National-Polls-January-2008.html.
- ⁷⁷ See www.cnn.com/ELECTION/2008/primaries/results/candidates/#1358.
- ⁷⁸ Transcript of third presidential debate, October 13, 2004, available at: <http://www.debates.org/pages/trans2004d.html>. Bush also voiced support for raising the age for handgun possession from 18 to 21, and restrictions on high capacity ammunition magazines. Press

Release, Handgun Control, Gov. George W. Bush and Gun Control (Aug. 27, 1999) (*available at*: www.commondreams.org/pressreleases/august99/082799c.htm).

⁷⁹ See John M. Broder, *NRA in full retreat, losing its influence, opponents contend*, HOUSTON CHRONICLE, Nov. 3, 1996.

⁸⁰ The NRA agenda has pushed even former supporters away from it. George H. W. Bush famously tore up his NRA membership to disassociate himself from its over-the-top, anti-law enforcement rhetoric. After leaving office Ronald Reagan – like former Presidents Ford, Carter, and Clinton – supported the assault weapons ban that was so stridently opposed by the NRA. The NRA’s most loyal supporters have either been rejected by both parties in recent presidential nominating fights, or they have found it necessary to distance themselves from the NRA’s agenda in order to win at the national level.

⁸¹ As of Nov. 6 at 5:00 p.m. EST, not all votes in New Hampshire had been counted. This result was calculated with 98% of precincts reporting. See <http://elections.nytimes.com/2008/results/states/new-hampshire.html>.

⁸² The Colorado result was calculated with 99% of the precincts reporting, current as of November 6, 2008 at 5 p.m. EST. See <http://elections.nytimes.com/2008/results/states/colorado.html>. The NRA spent \$290,508 in independent expenditures in Colorado, \$7,903 in New Mexico.

⁸³ This excludes the Alaska, Georgia, and Minnesota races, as they are not yet decided as of publication.

⁸⁴ This figure excludes expenditures in races where no winner has been declared as of November 6, 2008 at 5:00 p.m. EST: Alaska, Georgia, and Minnesota.

⁸⁵ Senator Barack Obama, Reclaiming the American Dream speech, El Dorado, KS (Jan. 29, 2008).