

## **You Might Be Right - Gun Violence - Transcript**

### **Marianne Wanamaker:**

Welcome to "You Might Be Right," a new podcast from the Howard H. Baker Jr. Center for Public Policy at the University of Tennessee. The late Howard Baker served as US Senator, Senate Majority Leader, White House chief of staff and US Ambassador to Japan. He is often described as the great conciliator and one of the last great statesmen. He was known for his ability to cross party lines, listen, and find solutions to difficult problems. Baker's leadership resulted in landmark legislation, including the Panama Canal Treaty and the Clean Air and Clean Water Acts.

"You Might Be Right" takes its name from one of Senator Baker's most famous sayings to always remember that the other fellow might be right. We bring together Tennessee's two most recent governors, Phil Bredesen, a Democrat, and Bill Haslam, a Republican, to host conversations about some of the country's most difficult challenges with guests of different viewpoints.

In our first episode, the governors and their guests take on gun violence. For the first time in 30 years, a bipartisan gun reform bill has become law, but a deep and growing cultural divide remains around the rights and responsibilities associated with guns and gun ownership. How can we protect more Americans from gun violence, while respecting the millions of Americans for whom gun ownership is a fundamental American right?

**Bill Haslam:** Our very first episode, Phil. I've been looking forward to this. Thanks for doing it.

**Phil Bredesen:** I am too. It's great to be here with you and I think we're going to have a good time and I hope learn something.

**Bill Haslam:** No matter where you are on the political spectrum, people are frustrated and exhausted about politics today. And the discouraging thing for me, and I think for you too is people have given up that we can actually solve real problems.

**Phil Bredesen:** It's transition where I think you have people that think civility is a sign of weakness or something that you're not there. I think it's just the opposite. You think about, it's the 6'3" muscular guy that doesn't have to go around being a bully and can be gentle and thoughtful. And I think the most powerful and the most effective kind of people are the ones who can be civil.

**Bill Haslam:** I think one of the things that I appreciate the most about Senator Baker is that whole spirit of the other fellow might be right. And Senator Baker, I knew him, he wasn't weak at all, but he always was trying to get to the right answer and this idea that, I need to at least listen and see if the other fellow might be right.

**Phil Bredeesen:** Yeah, I think it's... What I found is people talk about bipartisanship as a way of getting things done. I think it's even more important, a way of getting things better that you can pick and choose from a host of ideas and bring them together and it gets it done, but it also makes it better.

**Bill Haslam:** We're different people with different perspectives on several issues, but I think what we agree on the most is this stuff matters. The decisions that are made in political office have wide ranging impact and I think our hope in this podcast, and we realize we're one of a zillion podcasts out there, but that we could begin a conversation about, how do we actually solve the very real problems that people are facing today?

Before we start the conversation, it's important to have some context. In 2020, over 45,000 people died by gun death in the US. Over 95% of those folks were either suicide or murders. We focus a lot on the horrific mass shootings, but they're a relatively small percentage of increasing concern, or should be to all of us, is the fact that our gun deaths are up almost 50% from just 10 years ago.

**Phil Bredeesen:** That's good information to have. I mean, that's really striking. I mean, the number is very high and we focus on it, but the fact that it's changed by that much over the course of just a decade says we're clearly going in the wrong direction and we need to be talking about it. And whether or not wherever you are in the Second Amendment doesn't matter. I mean, this is a problem that the society where our society needs to figure out some way to address.

**Bill Haslam:** We said we were going to take on some contentious topics and I think gun control fits the bill.

**Phil Bredeesen:** I think it probably qualifies.

**Bill Haslam:** We're perplexed as a country about the reality that gun violence is a much more predominant factor of our life here than anywhere else. Now the question then next was so what do you do about it falls on pretty two big divides.

**Phil Bredeesen:** Yeah, sure it does. I think it's particularly difficult because it really puts in conflict. I think two, I mean, almost sort of basic characteristics of our culture. I mean, on one hand we value individual freedom, which certainly includes owning guns if you want to. And on the other hand, we have this vast amount of gun violence unlike any other developed country and we feel the need to do something, to do something about it to be more civilized and particularly when you have these school shootings and so on, I mean, tears your heart out. But we are going to have to sort our way between two pretty closely held values in this country.

**Bill Haslam:** We have two guests with us today who come from different perspectives, but I know we know both of them and we know they're honestly trying to get to the right answer. And I think that's one of the things we want to be is let's hear different perspectives and see if we can find our way to wind our way through the morass if you can, to come up with some better ideas for going forward.

**Phil Bredeesen:** Well Bill, our first guest today is Arne Duncan. I got to know him a bit when he was the secretary of the US Department of Education in the Obama administration, and we had a chance to work with him and before that, led the Chicago Public Schools system. Since leaving government, he's done a number of things. I think a particular interest today, he started this Chicago CRED program which attempts to work with gun violence directly with some of the people who are, I guess most likely to be tempted by it. He is also a fellow at the University of Chicago's School of Public Policy, and I think exactly the right person to talk to about this.

**Bill Haslam:** As we said, we're really glad to have you on here. We both dealt with you extensively as governor. We sometimes saw things the same way, but sometimes didn't, but I think I always appreciated that your heart was in the right place and you really cared about kids and having more opportunity and I know that's led you to where you are. So give us just a quick 15 second, tell us what you're doing today.

**Arne Duncan:** First, just so happy to spend some time with you. I don't say this easily lightly. You two are two extraordinary governors. It was just an absolute privilege to get to know you a little bit and to continue that relationship. So I'm laser focused on trying to reduce gun violence here in my hometown Chicago. Coming out of DC I started a small nonprofit called Chicago CRED, which stands for Creating Real Economic Destiny and we're working directly with the young men and women on the south and west side most likely to shoot or be shot.

**Bill Haslam:** If you're talking to somebody who, not certain where they stand on the gun

issue, but if somebody that sees the issue on a day to day basis, tell us from your seat what's caused this epidemic of gun violence?

**Arne Duncan:** Well, there's no one cause and these are complicated issues, as you guys said in Chicago. Just to put some of the facts up, in Chicago six times more violent than New York, is three to four times more violent than LA. We are the anomaly in our children on the south and west sides with a level of fear and trauma that's just unacceptable. I kept a drawing above my desk when I was in Chicago Public Schools and a young middle school student gave me was a picture of him climbing up a ladder and his caption was, "If I grow up, I want to be a fireman." And that's just the absolute reality for so many of our particular young men, if I grow up.

And that's a very real rational fear because many of them don't. So we know the history in Chicago and so many places of whether it's racial discrimination, whether it's poverty, whether it's redlining, whether it's disinvestment, all those things. Gun violence is always just like the last manifestation of many, many other social ills. I can't fix history, I can't change all the structural issues. What I do know I can do is give guys a reason to have hope and put down the guns. And so that's what we're trying to do. So many, many root causes and we're not nearly addressing any of them adequately, but just trying to deal into crisis space and help folks move to a better place.

**Phil Bredeesen:** You're an observer of American culture and you've got a lot of experience with it and just in my lifetime it seems very different. When I was growing up, I mean, guns were very prevalent. I grew up in a rural community and as a matter of fact, I was telling Bill that I learned to shoot a gun in school. Our shop teacher gave classes to people about the safe handling of firearms and there were a lot of guns around then as just as there are today. But there seems to be a vastly higher level of violence associated with those guns and these mass shootings, which I certainly don't remember from earlier times in my life. What's changed in American culture and society to make that happen?

**Arne Duncan:** Yeah, I don't know what's changed. Well, I think life has gotten cheaper. I think the lethality of the guns is very different. A gun you may have used for hunting is very different than an assault weapon as the weapon of war that's unfortunately used to massacre folks here.

**Bill Haslam:** I'm sure one of the things you always say, if I followed you around for a week doing what you're doing, I think one of the things that would surprise most folks would be the sheer number of guns that are out on the street. Where are those guns

coming from? I mean, there are obviously people that they're not registered, they're not permitted, et cetera. Where are those guns coming from?

**Arne Duncan:** Yeah, that's a great question that people often sort of look at Chicago and say, "Well, you have strict gun laws and you also have too much violence. So the gun laws don't work." It is true. We do have strict gun laws here and we have way, way, way too much of violence. We have an epidemic, a crisis of violence. But I try to remind folks that Chicago isn't an island. We don't have a mode around us. I live about 15, 20 minutes from the Indiana border. Indiana has very lax gun laws, and so the guns pour into our state from Indiana. We know the actual gun shops that are crazy percent of the shootings in Chicago come from many in Indiana, some in Wisconsin.

For me, the parallels to COVID are pretty significant. This is a public health crisis that travels through social networks and if we don't address it as such, it's going to continue to travel through social networks. So this for me, the pandemic didn't know city borders or state borders, it was a national crisis, a national issue of health. The same thing is true here with gun violence and what cities do and what states do are important but woefully insufficient. I would go so far to say ineffective if states that are 15 minutes from you look at this in a very, very different way.

**Phil Bredesen:** I mean, understanding that the larger problem of gun violence is a large problem with a lot of moving parts to it. Are there any things that we can do or you would recommend that would specifically make schools a safer place? In other words, is there a small piece of that problem? There are some things we could do, some things to solve?

**Arne Duncan:** No, it's a small piece, but a significant piece in whether it's talk about Sandy Hook, whether it's Parkland, we said instead of our students here in Chicago down to meet with the Parkland families after the massacre there, and obviously most recently in Texas, these things are about as horrific as they get. The short answer is that schools are part of our communities. Again, they're not islands, they're not isolated. So if our communities aren't safe, our schools aren't going to be safe. And whether it's a shopping center, whether it's a concert, whether it's a movie theater, whether it's a baseball field, all the places we have seen gun violence, we've seen the devastating toll.

**Bill Haslam:** Arne, you beyond most know the difficulty of getting anything done in Washington, what's your reaction to the Safer Communities Act that passed this year? Big step forward, small step? I'm curious to what kind of difference you think that will make.

**Arne Duncan:** Yeah. I was honored to be there. So I would say it was a small step, Governor, but a significant step. It was small in that it's still so much that wasn't in there, but as you know so well, that's the first step that Washington has taken in 25 or 30 years. And one of my great disappointments and feeling of failure is that post Sandy Hook, when we were in DC we got zero, we got nothing done in terms of gun violence legislation and that was pretty devastating. So to see folks come together, to see someone like Senator Cornyn step up and be part of the solution, the part I don't understand you guys would get this better than me, that no one seems to participate in this until it affects their backyard, until it affects their hometown.

**Bill Haslam:** Arne, let's just say you had another change of focus vocationally and you decided to run for the Senate.

**Phil Bredezen:** Don't do it.

**Bill Haslam:** Yeah. You decided to run for the Senate and you decide, I want my very first bill to be something to address the gun violence that I've been living with here. What would you do?

**Arne Duncan:** First, I would never run for Senate. The Senate moves too slow for me. I have tremendous respect for senators, but I'm just a little bit more nitty gritty, a little bit more hands on. I mean, there's not one place to start. There's so many issues here. I'll just give you a couple. The prevalence, the easy availability of assault weapons is extraordinarily damaging, destructive. The fact that it's in many places, it's easier to get an assault weapon than it is to buy a pack of cigarettes. I don't understand that. The federal ban on research for the past 20 years has been devastating. Just like the cigarette industry, tobacco industry back in the day and the auto industry, that there's a reason folks don't want these things researched. And so those would be places where I would think about starting.

**Bill Haslam:** Arne, again, as we moved to wrap up, we're both grateful for the time you spent and then grateful also for the working relationship we've had with you over the years. We're basing this off of Senator Baker saying that they always remember the other fellow might be right. Can you think of a time, particularly on this issue, when you thought the other person might be right on this one, on this part of the argument?

**Arne Duncan:** There's so many times, and I'll say this work does nothing if it doesn't humble you. And this is the hardest, honestly, most heartbreaking work I've ever done is

also the most meaningful and the most inspiring. But I'll give you a couple lessons. When I first came back to Chicago, I was trying to figure out how to do this and I spent time in the streets, I spent time talking to law enforcement, to policymakers, but I spent a lot of time in Cook County Jail talking to folks there. And basically I kept asking them, I said, "We all have a price point and what would it take for you to put down the guns?" And what I heard dozens and dozens of times was a job for \$12 or \$13 an hour, and I thought the guys were lying. I literally couldn't believe it, but I just heard it so much that we finally started, we started our program, we started at \$12 or \$13 an hour in that range.

That's what it took. And for me, it's just like it's mindboggling, it's heartbreaking that for basically minimum wage or less that if we could employ people and give them a chance to give them a chance to heal, get their high school diplomas and grow, they will make that choice. They're happy to make that choice. They're tired of being shot, they're tired of running from the police. No one's getting rich in the drug market anymore. And so that was a huge lesson that they were absolutely right. I was wrong in my thinking. They knew their reality. And so it was both a heartbreaking moment, but also just an amazing moment that we can really penetrate this and as society, the fact that we'll spend \$1.4 million on a homicide, \$400,000 per shooting and \$60,000 for a better Cook County Jail, but won't give someone a job for \$20,000, \$25,000 a year is absolutely crazy.

That's sort of a policy standpoint. But those guys, I say this, you guys will understand this. I say it jokingly, but for real, that I testified before Congress a number of times and I have to tell you, I much prefer talking to guys at Cook County Jail and it's just much more honest. It's much more real. There's no theater, there's no one playing for the cameras. And you get honest feedback. And if I had a good idea, they'd tell me if I had a good idea. If I had a bad idea, they'd say, "Arne you're crazy on this. It's not going to work better."

**Phil Bredesen:** That story you told is the most encouraging thing I've heard in this conversation because I mean, it says that there might be a problem. How do you get people a \$13 an hour job at scale? Which is infinitely more soluble than the larger problem we're talking about.

**Bill Haslam:** Then how are you going to get 15 million assault weapons off the street?

**Phil Bredesen:** Out of it and so on. And there's actionable items around that – actually things you probably could get some bipartisan agreement on. So it's great to end on an encouraging note there and I will take that with me.

**Bill Haslam:** Arne, thanks again from both of us. We appreciate you taking time and we appreciate the way you've worked with both of us and helped Tennessee in significant ways in the past.

**Arne Duncan:** Well, it was an absolute honor. So thrilled you guys are still working together. And anything I can do to partner with you and learn from you, just know I'm all in. Appreciate the opportunity. You guys have a great day now. Thanks.

**Bill Haslam:** Sounds good. Thanks, Arne. Talking with Arne, it reminds me on any issue like this, you have the philosophical issues of what's the Second Amendment mean. You have the practical of what do we do about a lot of guns on the streets and places we don't want them?

**Phil Bredeesen:** Yeah. One of the things that I took out of this conversation is that I've always thought when you consider an issue of some sort or a complex or whatever, you kind of have to ask the question, "Okay, what's really going on here?" And not just respond to whatever is on the surface of it. I do think, for example, on this gun issue that this much larger cultural canyon that's being produced in this country between urban and rural and the lifestyles and the worldview and so on, is real in a lot of ways. I think these disagreements about gun are the tip of the iceberg of that larger issue.

But then you also have on his specific issue, these kids who are killing each other in inner Chicago, that what may be really going on there is just that they don't have something else to do. They don't have a job. They're forced into this kind of world, living on the street and trying to make things work that way. Oftentimes not treating the symptoms, but trying to look at the underlying disease is the way you get to an answer. And Arne helped me a lot to understand that.

**Bill Haslam:** I thought the specific of a \$12 or \$13 an hour job was very enlightening, number one. And number two, particularly if you look at the mass shootings, not all, but most seem to have some common characteristics of it's a young male who typically had been socially isolated most of their lives and there hadn't been a caring adult interact at some point in there. And again, neither of those two things is going to answer the whole gun violence, but it does start to remind us, part of it is providing hope in places that people aren't feeling hope.

**Phil Bredeesen:** I think it's important with any complicated issue like that to, and Arne certainly had a sense of that, to see that there's really a bunch of different things going

on. I mean, the problems of gang violence on the south side of Chicago are different from crazed young people going into a school to shoot things up are different from people committing suicide with a gun because it's available and trying to have a one size fits all solution is probably not ever, ever going to work.

**Bill Haslam:** Those are fair points and I'm looking forward to our next guest who's going to bring the same caring heart and a little different perspective.

Well, it's really good to have another guest who's a Tennessean. David French is with us today. David is a political commentator who a lot of you all have heard, and one of the things I want to find out from David is how do you have opinions on so many things? I listen to David or read him all the time. I think, dang, how do you know? I don't know enough about different things to do what you do. But he regularly writes for The Dispatch, for the Atlantic and National Review. Does podcasts for The Dispatch and some others.

He's written several books, "Divided We Fall: America's Secession Threat and How to Restore Our Nation" and "Rise of ISIS: A Threat We Can't Ignore." He formerly served a senior council for the American Center for Law and Justice and the Alliance Defending Freedom. He's a former US Army Reserve major and a veteran of Operation Iraqi Freedom.

**David French:** Thanks so much for having me. It's an honor.

**Phil Bredesen:** I wanted to start off by asking you this issue of guns has become such a divisive bipolar issue in our society, and yet I've never met anyone who's not concerned about things like the violence in schools and those kinds of things. I guess I'd say, from your perspective, I mean, is there a path forward to begin to address some of these kinds of things like the school shootings and so on that doesn't necessarily run afoul of deeply held beliefs about freedom and what the Constitution says and other things?

**David French:** Yes, Governor Bredesen, I think there is. So there's a couple of things that when we think about the right to keep and bear arms, as the Supreme Court has said, it is an individual right that applies both inside the home and outside the home. And it primarily exists for self defense, but it's also a right that's subject to regulation. And traditionally, the most popular and most effective means of regulation have been tied to behavior. In other words, we have a background check system where, if you have a felony conviction, you cannot purchase a firearm. If you've been adjudicated

dangerously mentally ill, you cannot purchase a firearm. But there's kind of a missing, a sort of hole, in that system. And that hole in the system is what happens if by your behavior, you have demonstrated that you're dangerous, but you haven't committed a felony and you haven't gone through this really complicated process of obtaining an adjudication regarding your mental capacity?

And this is where this concept called the red flag law comes in. And what the red flag law says is if you, by your behavior, have demonstrated that you're a danger to yourself or others, then the state will have the ability to seize your weapons and prevent you from purchasing new weapons so long as the order lasts. And the reason why I think that that is a regulation that is A, very well suited to dealing with our current crisis of gun violence and B, entirely consistent with the Second Amendment, is because it's very tailored to what the actual problem is. And if you look at the worst of American gun deaths, it comes from suicide. And then they most, for lack of a better term sort of culture shaking, the mass shootings, both of those circumstances they've evident shows that people often and sometimes most of the time broadcast that they're going to do bad things or they're contemplating doing bad things.

And the law hasn't given law enforcement or families a tool to deal with that. And so I think that there is a path forward to taking some concrete steps that can help ease our gun violence crisis while at the same time respecting that individual right to keep and to bear arms.

**Bill Haslam:** That presumes that somebody's going to have the vigilance to observe and to act. And so how realistic is it that red flag laws, given the lack of vigilance or whatever the word would be, that it can make a difference?

**David French:** Realistic with a caveat. So here's the caveat. An enormous amount depends on public education, including in education of law enforcement. So I'll give you a very concrete example. After the horrible Parkland, Florida, shooting in Marjorie Stoneman Douglas High School, Florida enacted two provisions into law. A raising the minimum age to purchase a rifle to 21 and initiated a new red flag law. One thing that's great about Florida is that it's very easy to find public records in Florida. That's a very open, transparent government. And there's been almost 7,000 red flag orders issued in the state of Florida, almost 7,000. At any given moment, more than 2,000 are currently operative. In other words, this is a system where people are actually responding to it.

**Phil Bredezen:** What does that order require?

**David French:** What that order requires is a showing of danger. In other words, it requires a showing and it can be everything from a social media post where someone is saying, "Don't go to school tomorrow" or social media post that demonstrate other kinds of illegal activity, any kind of suicidal ideation, you can then go and present that evidence to a court. And Illinois, by contrast, which also has a red flag law, and had that horrible mass shooting July 4th – I went and looked at Illinois's records. And even though they had a red flag law for several years, and it's a state of 13 million people almost, they'd only had a few dozen red flag orders issued. What that means is nobody knew about it, nobody knew it was there, nobody knew it was available. And if you don't know it's there, it's like the law isn't even on the books.

**Phil Bredeesen:** And if you were to plant a red flag on me, what does it require me to do?

**David French:** So essentially the way it works is you're served with, if it's a non-emergency situation, you might be served with the court summons where you're going to go to court and I would present evidence or the police would present evidence that you're dangerous. You would try to rebut that. If you couldn't rebut it and the court issued an order, you'd be required to surrender your firearms and there would be a flag that would prevent you from purchasing additional firearms. Now, that's not permanent. It lasts for a specified amount of time. And one of the values of that is it gives people a cooling off period. It gives opportunity to explore mental health options, for police to conduct additional investigations.

**Phil Bredeesen:** One of the things that has struck me, I mean, I grew up in a rural community and had my first gun when I was 14 years old, and I was talking earlier on here that I actually learned to shoot a gun in school. They had classes for – about the proper handling of firearms, but I can remember going to gun shops and the like when I was a teenager or in my 20s, and they were 90% about sporting uses, hunting or target shooting or whatever, maybe 10% of personal protection kinds of things. You go back to the same shops 20 years later, and they're all about weird stuff. I mean, they have these tracts with conspiracy theories about who's doing what and piles of AR-15s on the counter and so on. There just seems to be a fundamental change in the way Americans interact with guns, which have always been there. Do you see that or is that just an artifact of my own particular experience?

**David French:** I do see that and it really worries me. So what I have seen, and this is something, I don't remember a time when we didn't have a gun in the house. I grew up in the South. My wife who went to high school in Henry County High in Tennessee, she

had Hunter Safety in eighth grade and people had guns and they brought their guns for Hunter Safety. But what I have noticed is gun ownership as a kind of lifestyle and sort of a tactical lifestyle as a kind of, for lack of a better term, it's almost like a gun fetish. In other words, guns is a centerpiece of identity, guns is a centerpiece of, for many people masculinity, an obsession with military style, not just weapons themselves, but military style clothing. It's called the tactical lifestyle. We're beginning to see that bleed out into things like armed open carry at protests where people will show up at, for example, very famously at the Michigan Courthouse with AR-15s, trying to interrupt the Michigan legislature during the COVID era.

And those kinds of things are extremely dangerous. I grew up learning that owning a gun was a deep, deep responsibility and that the use of a gun against another human being is thinkable only in the most extreme of life-threatening circumstances. And that the one thing you definitely don't do is sort of brandish weapons or carry weapons brazenly in public to unsettle other people. And so I'm very concerned about some developments in the gun rights community that is veering towards what I called in a piece that I wrote, gun idolatry or a gun fetish. In other words, I'm going to display my weapons as openly as possible as a kind of lifestyle choice/political statement. And folks don't realize how deeply unsettling that is, rightfully so, to neighbors and to others in the community.

And I'll end with this. There's a lot of controversy online about what are the acceptable bounds of protest? For example, when is it okay to protest at a politician's home or a judge's home? Well, I think it's wrong to protest at people's homes full stop, but I'll tell you what's especially wrong is protesting at people's homes armed to the teeth. And we're seeing more and more of that, and it's deeply, deeply disturbing. And it's contrary to the fundamental intent of the Second Amendment, which as Clarence Thomas said in the New York State Rifle & Pistol Association case, is self defense. It's not public intimidation.

**Bill Haslam:** David, one of the items that always comes up whenever you talk about one of the issues that always comes up about when you talk about guns is the whole assault weapons, AR- whatever, and there's those that are saying, "I don't understand the justification for an assault rifle of any type." Give us some background and thoughts on that.

**David French:** Yeah, that's a really good question and it really gets to the heart of a lot of people's concerns. So first, the term assault weapon itself is kind of slippery. It usually is a term that applies to a semiautomatic rifle that looks like a military rifle. The rifle I

carried in Iraq, I can't just go out and buy at the local gun shop. It was an M4, which was semiautomatic, but also had the capacity to shoot a fully automatic, a three-round burst. That's not something that's readily available in the civilian market, but there are civilian versions of that that are available. And it's a semiautomatic rifle that has a military style. And when married to a large capacity magazine, that's the key.

So an AR-15 without a large capacity magazine is just another rifle. When married to a large capacity magazine, means you have the capacity to fire a lot of shots in a short amount of time. It can be extraordinarily deadly as we've seen on multiple mass shootings. So the question is, what to do about quote "assault weapons"? And the Supreme Court has given us some guidance on this, and the Heller case, Justice Scalia said, referred to the phrase, "Weapons that are commonly used for a lawful purpose. These are protected by the Second Amendment." Well, the AR-15 is commonly used for lawful purposes. It's the most popular rifle in the United States of America. It's very rarely used for an illegal purpose. It's very commonly used for a lawful purpose.

**Bill Haslam:** Give us an example of what those lawful purposes are.

**David French:** So I have an AR-15.

**Bill Haslam:** Okay.

**David French:** And it is the weapon that is our primary – we've been threatened, my family has been threatened many times in the last 5, 6, 7 years. We've had people come to our house, been threatened by white nationalists. And I would fully expect if one of those people ever tried to act on it, they would have either a semiautomatic handgun or a semiautomatic rifle. And so we have an AR-15, which is used, thankfully, I haven't had to use it to point it at anybody, but we use it in the sense that it is available to us for self defense because that matches exactly what I think somebody who might be doing harm would be carrying. That's why police, for example, carry a Glock pistol instead of say a six shooter because it matches what the foreseeable threat is.

And if the Second Amendment is designed to and intended to provide for self defense, then having a weapon that matches the foreseeable weapon that a criminal might use is a necessary element of self defense. But at the same time, I think the increased use of the AR-15 for criminal purposes, I think our use for treating the AR-15 much the way we do handguns, which is raising the age limit, for example, for purchase – handguns, the limit is usually is 21. Raising to an age limit to 21 I think is entirely appropriate. At the very least, I support the enhanced background checks that we saw in the

Murphy-Cornyn bill here recently.

**Bill Haslam:** David, regardless of where you stand on this issue, I think everybody would say, "Okay, we have an issue that needs to be addressed in terms of gun violence, et cetera." So if tomorrow you were the majority leader of the senate, the speaker of the house, and you had control over legislation, do you have some proposal or some proposals of here's what we should do differently?

**David French:** Yeah. So, if I'm speaker of the house and I'm proposing legislation and I'm at a state level, I'm wanting to see red flag laws.

**Bill Haslam:** Okay.

**David French:** If I'm in the federal level, what I'm wanting to do is fund red flag laws, so that states can educate citizens and educate police and actually enforce the things. But I would also say there's a role here for the President and the Attorney General because they control law enforcement priorities. And one thing that we have seen that we have not talked about yet is that there has been a low priority placed on enforcement of existing gun laws. Specifically one of the things that we have been traditionally very reluctant to do is enforce laws prohibiting straw purchases. That's when somebody lies to the gun dealer about who they're purchasing the weapon for. That's a crime. But we have not enforced that. There are very few straw purchaser prosecutions.

A lot of the existing gun crimes on the books are not enforced. And so a prioritization of enforcing existing gun crimes and straw purchaser rules from the executive, a priority of red flag laws – and this is something I think that's really important at the state level: If I went to you and I said, an average person, I say, "Hey, can you please tell me how, if one of your friends or relatives is dangerously mentally ill, how you get them adjudicated to where they can get help and are barred from purchasing weapons?" They'd have no clue. Nobody has any idea how to handle mental illness in American society. So we really have to streamline and clarify those procedures so that if somebody is engaged in dangerous conduct and behavior, we can, A, make sure they don't get a weapon, and B, make sure that they get the help that they need.

**Bill Haslam:** I guess the final question that we always ask everybody in the spirit of Howard Baker is can you think of a time, particularly on this issue, when you realize the other fellow might be right?

**David French:** Oh, off the top of my head, easily. So my time when I realized the other

fellow might be right is right after the Marjorie Stoneman Douglas shooting and the Parkland shooting in Florida, I was just... I mean, like so many Americans, just in anguish over it. And I went looking for creative solutions no matter where they came from. I wasn't just looking at them coming from conservatives – across the spectrum. And that's where I found, I believe, through the Brennan Center for Justice, which is a left-leaning group, the red flag issue. And that, when I read that – changed my mind was might be not completely accurate – it's when the other side gave me an idea, when the left gave me an idea and this was the red flag laws, and then that's when I started... I feel like sometimes I'm like the crazy folks you'll see on the college quad just always with the bullhorn on something.

I'm the guy always with the bullhorn on the red flag laws. And that's an idea that came from the other side of the political aisle. And that I think was a great idea and it's an example that I constantly use with folks to say, you cannot narrow your inquiry to one side of the political spectrum when you're tackling tough issues. There's a ton of brilliant well-meaning people on the other side of the aisle, and you got to approach their ideas with an open mind and they might have an idea that you see with crystal clarity is a good one regardless of where you stand.

**Bill Haslam:** That's the theory of why we're here and we appreciate it, David. Thank you so much. We appreciate the thoughtfulness that you've approached this and we are grateful that you would take some time with us.

**Phil Bredesen:** Really enjoyed it. Thank you.

**David French:** Yeah, thank you, Governor Bredesen. Thank you, Governor Haslam.

**Bill Haslam:** Have a great rest of the day. Thanks so much.

**Phil Bredesen:** That was a good contrast.

**Bill Haslam:** I think it's a good contrast of why it's such a hard issue, right?

**Phil Bredesen:** And again, reflects very different experiences and part of the reason it's so complex.

**Bill Haslam:** I wonder, you talked about the changing gun culture, but one of the things that struck me listening to them is the change of the culture in the country that we've moved from a country, I'm way over-generalizing, but a country of hope to a country of

fear. And that fear manifests itself in a lot of different ways. In a 17 year-old thinking, I don't get a \$12 an hour job in Chicago, or someone who feels like I need to carry an assault weapon with me when I go somewhere in public. And that fear feels like it's, again, become part of the culture in a way that, maybe I'm romanticizing things, but I don't think it was true 50 years ago. I do think you and David were talking about you grew up in places where guns were part of the, like I said, you got taught in school.

**Phil Bredeesen:** And so did he.

**Bill Haslam:** And so did he. Growing up in very different places. Part of that was this imparting of the responsibility that comes with that and the lax view of the responsibility that comes with owning a gun, I think is part of what contributes to the problem.

**Phil Bredeesen:** Well, there's been a lot of work done by sociologists, and so on, on change in America in which there's a great focus on rights and a decreasing focus on the responsibility that goes with, I mean, you outline all the rights you have as a citizen of the country without really focusing on what are the obligations you have in turn back to the common good.

**Bill Haslam:** And so, I mean, it's been the constant tension of the country, right? We've been a country that's built on this idea of personal freedom, but hopefully with this commitment to the common good and that balance, we saw it played out in COVID, right? Where people are saying, "You can't tell me I have to wear a mask." Even if maybe it might be contributing to the common good. We see that played out in a lot of places.

**Phil Bredeesen:** He talked a lot about red flag laws and I guess I have mixed feelings about that. I mean, on one hand, I've been for them. I mean, I've certainly stated that. On the other hand, boy, I sure don't think there's the solution to everything. I mean, there's going to be an awful lot of mass shootings and murders and everything else carried out by people who nobody ever suspected at the level of they wanted to open a court case to take their guns away from them.

**Bill Haslam:** Again, I do think it would help. And I do think, for it to be effective, it would have to be funded because just unfortunately in the country, I don't think we have that level of vigilance today where somebody or somebody's saying, "I am really concerned about Joey and I'm going to care enough to follow through on it." And I think when it does happen, you're going to have to have the funding to say a police officer's going to go to Joey's door and have the follow through with the mental health agencies, et

cetera. I think red flag laws can be a part of the solution. It does feel deeper and it's going to take more tools in the kit.

**Phil Bredeesen:** This has been a good discussion and I think really as much as anyone we've done kind of really gets at the heart of, is there any common ground between just some very different kinds of views?

**Bill Haslam:** I think it does, and I'd love to finish each of these and say, and here's the legislative solution and the path to solving the problem that we could propose. And I think there are some that we've talked about. I do think, like a lot of other challenges, the best hope we have is people having a sense of a commitment to a good beyond just their own.

**Phil Bredeesen:** And I think, I mean, if I were talking to either side in that issue, I was talking to liberals on it, I think I'd emphasize how much of this is just really, I mean, is a fundamental cultural issue. I mean, if I talk to somebody who's just adamant about getting rid of assault weapons and collecting them up and you shouldn't be able to have a gun except a hunting rifle and so on, their reasoning is just like, "Well, you got to be crazy to want to do that." I mean, it's just not... I don't understand why it would ever feel that way. The same on the other side, which is why would somebody want to give up the right to do this? And I think if you recognize it is that kind of a deep cultural issue and maybe try to understand a little bit about where somebody is coming from on either side and what the culture is like there is part of the answer of just starting to come together.

**Bill Haslam:** To borrow the old Kennedy quote of "ask not what your country can do for you, but what you can do for your country" when it comes to this issue, I think it's worth all of us saying, "We have a problem here, so what can I do to help?"

Thanks. I appreciate having someone to help wade through these difficult issues and I'm grateful you're willing to go along on this.

**Phil Bredeesen:** No, I'm enjoying it a lot as we go, as we shoot this and learning a lot in the process. And it's great to be working with you on something again.

**Bill Haslam:** Thanks.

**Marianne Wanamaker:** Thanks for listening to "You Might Be Right." Be sure to follow on Apple Podcasts, Spotify, or wherever you listen to your favorite shows. And please

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