



Written by [Bob Adelman](#) on March 13, 2013

Criticism of Mark Kelly's Assault Weapon Purchase Misses the Point

When Mark Kelly (shown), former astronaut and husband of Gabby Giffords, the former congresswoman from Arizona who was shot in Tucson two years ago, posted on his Facebook page [a photo of himself](#) purchasing an AR-15 semi-automatic rifle from a local gun store, he had no inkling of the storm of criticism he would unleash.



[It started at Breitbart.com](#), which smelled hypocrisy from the start. From there [Michelle Malkin picked it up](#), followed by [mrconservative.com](#), which put the matter succinctly: Kelly was a hypocrite.

Gabby Gifford's husband, Mark Kelly, is an ardent gun control advocate. He co-founded a gun-control group that aims to control guns and high capacity magazines. He's testified before Congress saying the government must stop sales of semi-automatic weapons. And last week he became the proud owner of a newly purchased AR-15, plus a 1911-style semi-automatic pistol.

George Orwell knew this guy: "All animals are equal, but some animals are more equal than others." In America's Animal Farm, Kelly just elevated himself to head pig.

A closer look at Kelly's Facebook comments reveals not so much hypocrisy as a profound misunderstanding of the gun control debate he is engaging in. He truly thinks that assault weapons are the problem, that somehow the size of the magazine is the problem, that anyone can get a gun at a gun show without a background check, that putting restrictions on legitimate gun owners will somehow keep firearms out of the hands of criminals, and that because Jared Loughner used a 33-round magazine during his attack on his wife that "something" must be done, even if that "something" doesn't make sense. The Internet's criticism of Kelly's purchase misses the point.

Here is Kelly's Facebook comment, dated March 8, in its entirety:

Looks like the judiciary committee will vote on background checks next week. I just had a background check a few days ago when I went to my local gun store to buy a 45. As I was leaving, I noticed a used AR-15. Bought that too. Even to buy an assault weapon, the background check only takes a matter of minutes. I don't have possession yet but I'll be turning it over to the Tucson PD when I do. Scary to think of people buying guns like these without a background check at a gun show or the Internet. We really need to close the gun show and private seller loop hole.

Kelly's lack of understanding and of cause and effect is profound, and yet it informs his virulent anti-gun posture.

First, just because he passed the background check doesn't mean that everyone does. But he assumes that since he did so easily, others with questionable histories will be able to as well.



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But he really gets off the track when he says people can purchase such weapons at a gun show or on the Internet without a background check. That simply isn't so. Dealers at gun shows all must have a Federal Firearms License (FFL) and are required under the law to do a background check on every buyer before the purchase can be completed.

The same goes for the Internet. A purchaser at Glockstore.com, for example, will see this language: "Yes, you can purchase a new Glock handgun on this website and have it shipped to a FFL dealer in your area. Then, you will need to go to that dealer and fulfill the local and state requirements necessary to own a handgun at which time you can take delivery of your Glock."

What Kelly is really after is eliminating the freedom of private individuals to do business with other private individuals when that business involves weapons that he thinks are dangerous. And he thinks "assault weapons" are dangerous. After all, he is a combat veteran and knows all about them. [On the website](#) of Americans for Responsible Solutions, the organization he and his wife Gabby started recently, is this:

As a combat veteran and strong supporter of the military respectively, Mark and Gabby know the power and deadliness of assault weapons and believe their sale should be limited. Many horrific mass shootings have featured murderers with assault weapons, and such shootings perpetrated with assault weapons tend to produce twice as many victims as mass shootings with non-assault weapons. And since the assault weapons ban expired in 2004, 37 percent of police agencies reported seeing noticeable increases in criminals' use of assault weapons, according to a 2010 survey of police chiefs.

Congress should act to limit the sale of assault weapons.

He repeated the calumny on *Fox News* [in an interview with Chris Wallace](#) on February 3:

I served in the military for 25 years. I mean, I know the value of having an assault weapon, a gun that can kill many people, many quickly. I personally don't believe that we should have, you know, the average person on the street, including criminals, mentally ill and terrorists should have easy access to those weapons.

In cases of mass shootings when an assault weapon has been used, we know that, typically, twice as many people are shot and that means more people die and are severely injured.

The only trouble with this is the lack of evidence. The idea Kelly seems to be promoting is that if magazines are limited to, say, 10 rounds rather than the 33-round magazine Jared Loughner used in his Tucson attack on his wife, an attacker would have to pause to reload more frequently, giving his victims an opportunity to take him down. [This seven-minute video on YouTube](#) firmly and persuasively proves the absurdity of such a claim. A reasonably skilled shooter can fire and reload three 10-round magazines in the same time that it takes for him to empty a 30-round magazine. Especially compelling is the sequence at about the four-minute point when the shooter is "rushed" by an observer while he is reloading. That observer has no chance whatsoever to distract or disrupt the shooter during that time.

But proof that Kelly is wrong in his claims is available if he would care to look. For instance, John Lott's study [More Gun, Less Crime](#) found no evidence that federal assault weapons bans reduced crime.

Even the Brady Center's report in 2004, *On Target: The Impact of the 1994 Federal Assault Weapons Act*, which claimed a decrease in the use of assault weapons by criminals from 1994 to 2004 (when the ban ended), was disavowed by the Bureau of Alcohol, Tobacco and Firearms *which provided Brady with*



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the statistics.

The attention being paid to Kelly's alleged hypocrisy over supporting restrictions on "assault weapons" while buying some for himself misses the point: His arguments for such restrictions don't hold water. Such restrictions, if enacted, will only further limit law-abiding citizens' Second Amendment rights while doing nothing about taking weapons out of the hands of criminals.

As H. L. Mencken put it: "Explanations exist; they have existed for all time; there is always a well-known solution to every human problem — neat, plausible, and wrong."

Perhaps that's the ultimate hypocrisy after all.

Photo of Mark Kelly testifying in favor of gun control: AP Images

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