



Most Americans Support Firearm Ownership Restrictions on People Convicted of Violent or Nonviolent Crimes

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States and the federal government have enacted a wide range of gun control laws in an effort to address America's **significant gun violence problem**. However, the Supreme Court's *Heller* and *Bruen* decisions threw gun regulation into question. In *District of Columbia v. Heller*, the Court interpreted the Second Amendment to grant American citizens an inalienable, individual right to own firearms. In *New York State Rifle & Pistol Association v. Bruen*, the Court ruled that only limitations consistent with the nation's "historical tradition of firearm regulation" are constitutional. **Lower courts** subsequently struck down a range of gun control statutes, including several that barred people convicted of crimes from possessing firearms.

In 2024, the Supreme Court **clarified**, "When an individual poses a clear threat of physical violence to another, the threatening individual may be disarmed." However, federal law bars people convicted of both violent *and* nonviolent offenses from owning guns. A lower court has already ruled that it is unconstitutional to strip people convicted of nonviolent crimes of their Second Amendment right, and the Supreme Court has not yet revisited the violent vs. nonviolent distinction.

As the courts grapple with these questions, what does the American public think?

Americans Support Disarming Violent Criminals

My colleagues and I showed a **nationally-representative sample of Americans** a mock news story about a crime. We told them that the defendant either robbed a man at gunpoint and pistol whipped him across the face or committed identity theft and stole money from a victim. We then asked our respondents what they thought should happen to the defendant's gun rights after he was convicted – should he permanently, temporarily, or never lose his right to own a gun? Our survey data shed unique light on Americans' attitudes about the prospect of imposing firearm ownership restrictions on people convicted of violent and nonviolent crimes.

Our survey indicated that a large majority of Americans supports disarming people convicted of violent crimes. Sixty-five percent of respondents said that the person who committed robbery in our mock crime news story should permanently lose his right to own a gun. About 28 percent of respondents said that the robber should have to wait a few years after completing his punishment before being able to once again own firearms. About 7 percent of respondents said that the robber should not lose his guns. This 7 percent includes those who believe he should retain his gun rights while serving a probation sentence and those who believe he should have his gun rights restored immediately upon completing a prison sentence.

Americans Also Support Gun Restrictions for Nonviolent Criminals

The Supreme Court's 2024 *Rahimi* decision clarified the scope of Second Amendment rights for people convicted of violent crimes. In contrast, at the close of 2025, the question of Second Amendment rights for people convicted of *nonviolent* crimes remains **unsettled**. Circuit courts have issued **contradictory rulings** about the constitutionality of the federal statute that bars nonviolent felons from possessing guns. The Supreme Court has yet to definitively resolve this constitutional question.

In contrast to the circuit court judges who have ruled that it is unconstitutional to strip a person convicted of a nonviolent crime of his or her Second Amendment rights, a majority of respondents to our survey also expressed support for restricting the gun ownership rights of a man who was described as having committed nonviolent identity theft. Twenty-nine percent of respondents said the identity thief should permanently lose his right to own a gun, and 42 percent of respondents said that he should temporarily lose his firearm rights for a few years after completing his punishment. Twenty-eight percent of respondents said that the identity thief should never lose his gun rights or should have them immediately restored upon completing his punishment.

Court Rulings Misalign with Public Opinion

The Supreme Court sets a high bar for disarmament and gun ownership restriction: "When an individual poses a clear threat of physical violence to another, the threatening individual may be disarmed." Our data suggest that a clear majority of Americans agree with the Supreme Court that it is appropriate to curtail the Second Amendment rights of people convicted of a violent crime. However, our results also indicate that a majority of Americans would likewise restrict the gun ownership rights of people convicted of a nonviolent crime who presumably do not present a clear threat of physical violence to another person. However, it is important to remember that some nonviolent crimes, like identity theft, victimize other people. Other nonviolent crimes, like drug possession, do not clearly victimize other people. Our study cannot determine whether the American public would draw further distinctions for the Second Amendment rights of nonviolent felons who committed victimizing versus victimless crimes.

As courts are taking an increasingly expansionist interpretation of the Second Amendment, our study suggests that judges risk going against public opinion if they rule that it is only constitutional to disarm violent offenders. The American public appears to have a wider preference for gun control than some members of the judiciary and policymakers. Whether the Supreme Court will ultimately align with the position of a majority of Americans on the question of disarming nonviolent felons remains to be seen.