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MORE GUNS: MORE OR LESS VIOLENCE?

by BONNIE PETERS

The Illinois Firearm Concealed Carry Act (the Act), which passed on July 9, 2013 and took effect on January 5, 2014, allows Illinois citizens who are 21 years of age or older to apply for a permit to carry a concealed firearm.¹ Although the Act has some exceptions, including a prohibition of firearms on public transportation and in certain bars and restaurants, the inevitable effect of this legislation is that more Chicagoans will have the ability to carry weapons.² Because the Act permits people to legally carry firearms, it will allow for a greater total number of firearms in Illinois. The debated issue is whether gun violence will resultantly increase or decrease.

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THE ACT

Illinois previously banned concealed firearms, and is the last of the 50 states to pass a concealed carry law.³ More than 12,000 Cook County residents have applied for concealed carry permits since January 2014.⁴ If all of the applicants receive permits, as many as 12,000 new firearms could be legally possessed in Illinois.

The Act restricts a citizen's right to carry concealed weapons by requiring applicants to pass a 16-hour training course.⁵ Any law enforcement agency can deny permits to applicants who pass the training course if law enforcement can show by a preponderance of the evidence that the applicants are a danger to themselves or others.⁶

In addition, concealed carry is prohibited on public transportation, at some public gatherings or special events, and on private property where the owner has chosen to disallow it.⁷ Although all property owners have a right to exclude guns from their property, the Act requires them to post a sign explicitly stating that guns are not allowed.⁸ As a result of this law, concealed carry is primarily allowed only on city streets and in businesses that have not explicitly banned firearms.

SUPPORTERS OF THE ACT

Supporters believe that, although the Act allows more people to legally purchase firearms, which will most likely result in a greater number of firearms in Chicago, this result will not lead to an increase in gun violence.⁹ For example, Guns Save Lives, a nonprofit organization, claims that the fact that more people are armed could actually deter criminals from using their weapons, thereby decreasing gun violence.¹⁰ In addition, according to Justice Police Chief Kraig McDermott, although police officers will use more caution when stopping an individual who could have a firearm, officers do not predict that the Act will lead to more gun violence on the streets because criminals will not apply for or receive concealed carry permits.¹¹

According to the Independent Journal Review, Chicago's murder rate for the first three months of 2014 was the lowest it has been since 1958, a phenome-

non that police are attributing to the Act.¹² Compared to the first quarter of 2012, there have been over 200 fewer shootings and nearly 300 fewer shooting victims.¹³ Gary Scheck, a crime expert, credits this occurrence to statistics that suggest that more guns equal less crime.¹⁴

OPPONENTS OF THE ACT

On the other hand, opponents of the Act worry that it will exacerbate Chicago's already serious gun problem. Chicago reported more homicides than any other American city in 2012, and, although Chicago's homicide rates dropped in 2013, gun violence continues.¹⁵ The July 4, 2013 weekend resulted in 74 shooting victims, 12 of whom were killed, raising the total number of murder victims to over 200 by midsummer of 2013.¹⁶

Chicago Police Department's Superintendent Garry McCarthy announced in early December 2013 that over 6,500 illegal firearms were seized by December 2013.¹⁷ He acknowledged that the police department's efforts to eradicate illegal guns from Chicago do little good if people can legally obtain firearms and use them for illegal purposes.¹⁸ McCarthy stated that without the implementation of more stringent deterrence and punishment methods, gun violence will not stop.¹⁹

According to the Illinois Council Against Handgun Violence, the Act can lead to more gun violence simply because more people will own and have the ability to use firearms.²⁰ Although the Act does not condone the illegal use of firearms, it does make ownership of them legal, which could result in more illegal use.

Ellen Alberding, president of the Joyce Foundation, states that requiring permit applicants to participate in training courses is a way of limiting the negative effects of the Act.²¹ Although she does not think the Act will directly increase violence, she is concerned that it will not be effective in decreasing gun violence.²² Opponents of the Act advocate for deterrence methods, including a 3-10 year prison sentence for the illegal possession of a firearm, that will limit, rather than aggravate, gun use in Chicago.²³

CONCLUSION

Many organizations and individuals have varying opinions on how the Act will impact gun violence in Chicago. Because concealed carry permits only recently began being granted in March 2014, it is a little early to determine how the Act will affect gun violence in Chicago on a long-term basis. Therefore, this question should be more fully addressed after more time has passed.

NOTES

- 1 Concealed Carry About the Act *Illinois State Police: Concealed Carry Licensing*, available at <https://ccl4illinois.com/ccw/Public/AboutTheAct.aspx>.
- 2 *Id.*
- 3 Bob Bong, *Police Not Worried About Concealed Carry Law*, DESPLAINES VALLEY NEWS (Jan. 1, 2014), available at <http://desplainesvalleynews.com/police-not-worried-about-concealed-carry-law-p380-90.htm>.
- 4 Lewis Tisha, "Demand low for concealed carry permits in Cook County" (Apr. 4, 2014), available at <http://www.myfoxchicago.com/story/25113114/demand-low-for-concealed-carry-permits-in-cook-county>.
- 5 Concealed Carry, *supra* note 1.
- 6 *Id.*
- 7 *Id.*
- 8 Don Harmon, "No Sign? No Guns. Harmon wants remake on flawed Concealed Carry law" (Feb. 18, 2014), available at <http://www.oakpark.com/News/Articles/2-18-2014/No-sign%3F-No-guns/>.
- 9 *It's Time to Think Warm Thoughts, Concealed Carry, and Saving Money! Guns Save Lives* (Feb. 26, 2014), available at <http://www.gunssavelife.com/?p=11210,2/26,14>.
- 10 *Id.*
- 11 Bong, *supra* note 3.
- 12 Mike Miller, *What Happened to Chicago's Murder Rate After Illinois Upheld Concealed Carry and Why it Matters*, INDEPENDENT JOURNAL REVIEW, available at <http://www.ijreview.com/2014/04/126664-coincidence-illinois-enacts-concealed-carry-law-chicago-murder-rate-plum-mets-immediately/>.
- 13 *Id.*
- 14 *Id.*
- 15 Alexander Schuster, *Chicago Reverend on Gang Violence: The Bodies Might Not Be Dying, but the Spirit Is*, HUFFINGTON POST (Nov. 26, 2013), available at http://www.huffingtonpost.com/2013/11/26/gang-violence-chicago_n_4344147.html.
- 16 Mark Guarino, *Chicago Erupts in Gun Violence*, THE CHRISTIAN SCIENCE MONITOR (Jul. 8, 2013), available at <http://www.csmonitor.com/USA/2013/0708/Chicago-erupts-in-gun-violence-74-people-shot-12-killed-over-July-4-weekend>.
- 17 "McCarthy: More than 6,500 Illegal Guns Seized So Far This Year" (Dec. 9, 2013), available at <http://chicago.cbslocal.com/2013/12/09/mccarthy-more-than-6500-illegal-guns-seized-so-far-this-year/>.

18 *Id.*

19 *Id.*

20 *Public Safety- Concealed Carry Handbook, available at <http://concealedcarryandme.com/regulations-and-penalties/public-safety/>.*

21 Telephone interview with Ellen Alberding, Chairman Emeritus, Joyce Foundation (Mar. 3, 2014), *information available at* “Philanthropy Needs to Do More to Back Research About Gun Violence,” *Remembering Newtown* (Dec. 13, 2013), <http://www.joycefdn.org/remembering-newtown/>.

22 *Id.*

23 Dan Cannon, *Proposed Illinois Gun Laws Would Impose 3-10 Year Minimum Sentences for Simply Possessing a Gun*, GUNS SAVE LIVES (Oct. 18, 2013), *available at* <http://gunssavelives.net/blog/gun-laws/proposed-illinois-gun-laws-would-impose-3-10-year-minimum-sentences-for-simply-possessing-a-gun/#>.