

# **CHICAGO'S HANDGUN BAN UNDER** THE HIGH COURT'S MICROSCOPE

At the age of 15, Monica Sanders answered her phone to learn that her friend had been fatally shot in the stomach by another female teen, leaving behind a 4-month old daughter.

"It still shocks me to this day," said Sanders, now 18. "It's insane that a teenager could get a gun."

The senseless act of violence prompted Sanders to join Hands Without Guns, a violence-prevention group that joined a crowd of local voices Monday on the eve of arguments before the U.S. Supreme Court about whether to strike down Chicago's longstanding handgun ban.

On one side, gun control groups argue that lifting the decades-old ban will increase the prevalence of guns and the level of violence that Chicago-area students such as Sanders face daily.

On the other side, gun-rights groups have said that the prohibition prevents law-abiding citizens from protecting themselves. They also point out that the illegal gun trade has continued to flourish in Chicago despite the ban.

McDonald v. Chicago will be a landmark one. case regarding the "right to keep and bear Gun-rights activists have argued that strikeffects.

gun laws in America and we continuously, Association, which is a plaintiff in the case. unfortunately, continue shooting each other Many legal experts say Chicago is fighting

Network, a Chicago youth-advocacy group, the federal government. one in four teens claim to know someone who open the door to much more litigation.



## TRACKING SHOOTINGS

Eighty percent of the approximately 500 homicides in Chicago from 2009 to Monday were recorded as a result of gunshots, according to preliminary police information. RedEye tracks all homicides in the city at homicides.redeyechicago.com. You can browse information by eight criteria, including your address.

has been shot, and one in three say they could Both sides, however, agree on this much: get a handgun if they really wanted to obtain

arms." As the nine justices decide whether ing down the Chicago gun ban would actually the Second Amendment can be used to strike lead to safer neighborhoods by giving citizens down gun restrictions on state and local lev- the ability to arm and defend themselves. els, their opinion stands to have far-reaching They also say the prohibition infringes on their fundamental right to bear arms.

Mayor Daley, who has frequently decried "Allowing law-abiding citizens, responthe toll of handgun violence, contends the sible adults, the right to keep handguns in federal government does too little to address their homes is not going to make [violence] the issue for fear of the powerful gun lobby. any worse; it will likely make it better," said "We've turned our backs on common-sense Mike Weisman of the Illinois State Rifle

on a daily basis," Daley told reporters. an uphill battle. The nation's top court has At a separate news conference where typically determined that the Bill of Rights Sanders spoke, Uhlich Children's Advantage applies to states and municipalities - not just

pointed to its national Teen Gun Survey as A decision is expected by late Iune. But if proof of that argument. The survey, which Chicago's law is overturned, that won't be the is conducted angually, found that more than end of the debate. In fact, experts say it will



# Faces of the case

A couple worries that burglars who tried to break in when the wife was home alone will return. A retiree fears the drug dealers and junkies just outside his window will attempt—again—to steal what he spent a lifetime earning. And a businessman wants to protect himself as he could when he was a police officer.

Together, they are the face of the most serious challenge yet to Chicago's 28-year-old handgun ban.

On Tuesday, the four will take their seats inside the U.S. Supreme Court as their attorneys argue a lawsuit that bears their names: David and Colleen Lawson, Otis McDonald and Adam Orlov.

The four plaintiffs are not stereotypical gun rights advocates. They don't represent the agenda of any national group or organize rallies. Instead they represent average Chicagoans - the kind of people who opponents of the city's ban say should be allowed to protect themselves from gun violence.



Orloy didn't grow up with guns and doesn't hunt. But his four years as a police officer only underscored his belief that people hurt by the city's handgun ban are those obey-

"The law only prohibits the actions of those who are lawabiding," said Orlov, 40. "The more law-abiding, the more likely you are to be vulnerable to the activities of criminals."



### David and Colleen Lawson

The Lawsons decided to fight the city's gun ban after a scare in 2006, when Colleen Lawson, 51, was home alone with the flu and three men tried to jimmy open her back door. They ran off when they saw her through a window.

"That's how close they were to getting in," she said. The Lawsons believe a handgun would allow them to protect their family and give them the kind of peace of mind Colleen Lawson had as a child, when she knew her grandmother kept a pistol in her apron.

"I knew without any doubt my grandmother would be able protect us," she said. "I can't say that to my children."



### Otis McDonald

Seventy-six-year-old McDonald came to Chicago from Louisiana when he was 17. He worked his way up from a janitor to a maintenance engineer, a good job that allowed him and his wife to buy a house on the city's far South Side in 1972, where they raised their family.

In recent years, McDonald has watched the neighborhood deteriorate, the quiet nights he once enjoyed replaced by the sound of gunfire, drunken fights and shattering liquor bottles.

Three times, he says, his house has been broken into-once the front door was wide open and the burglars still out front when his wife and daughter came home from church. A few years ago, he called police to report gunfire, only to be confronted by a man who told him he'd heard about that call and threatened to kill McDonald.

"I just got the feeling that I'm on my own," McDonald said. "The fact is that so many people my age have worked hard all their life, getting a nice place for themselves to live in ... and having one [handgun] would make us feel a lot more comfortable."

# Breaking down the gun ban case

State and local gun laws are in the crosshairs as the Supreme Court prepares for historic oral arguments in a case involving four Chicago plaintiffs Tuesday. The conservative majority that struck down Washington, D.C.'s, handgun ban in 2008 appears ready to expand gun rights further. Here's the rundown on what it means for Chicago. AP, MCT

### Q: What is the back story on Chicago's gun ban?

A: The ban on the sale and possession of handguns in Chicago is 28 years old and has been weathering legal challenges for years. But it gained newfound attention after the Supreme Court in 2008 struck down a similar handgun ban in the District of Columbia.

### Q: What is Tuesday's session about?

A: The court plans to decide whether a ruling on D.C., a city with unique federal status, should apply to local and state laws too. If the court agrees that the Second Amendment covers state and local governments, as seems likely, some, but not all, gun restrictions in Chicago and elsewhere will be knocked down

### Q: What does Mayor Daley have to say about this?

A: Mayor Daley said Monday he was confident Chicago would prevail and stressed that cities and states should be able to decide how best to protect their citizens. "We have the right for health and safety to pass reasonable laws dealing with the protection and health of the people of the city of Chicago," Daley said.

# Q: Are the four Chicago people the only plaintiffs? A: No. The Second Amendment Foundation, an

anti-gun control group, and the Illinois State Rifle Association also are named.

### O: Who's pulling for gun rights?

A: The attorneys general for Florida, Texas, Alaska and 34 other states have urged the court to strike down Chicago's gun ban. So have a majority of members of Congress, and individual prosecutors from 34 California counties.

### Q: Who is in Chicago's corner?

A: The U.S. Conference of Mayors joined 55 members of the House of Representatives and others in warning against expanding gun rights. Separately, Sacramento, Seattle and eight other major cities have urged the court to uphold Chicago's gun law.

### Q: Would the court's decision be all or nothing? A: Even if the court strikes down Chicago's strict

prohibition, other gun laws will remain. Justice Antonin Scalia noted in the 2008 D.C. ruling that certain laws still may be reasonable, such as those that ban firearm possession by felons or forbid firearms to be carried in places such as schools and government buildings.