

## **Back against the Wall: Poverty and Legal Firearms**

Everyone has heard the saying that money cannot buy happiness, however it can provide necessary things like food, shelter, and especially safety. When money is scarce in a household or community, these important aspects of basic survival seem to disappear. Luxuries evaporate, every paycheck is used sparingly for only the most important items. In these situations, when advancement is difficult, crime flourishes from the easy pay it offers and it can lure the disenfranchised in, but those who refuse to give in are still stuck in the same area as those who do turn to crime. Those who accept the criminal life end up creating danger for everyone else who lives there. In cities like Chicago or New York, impoverished neighborhoods like this are a too common reality and the law-abiding citizens there live in constant danger, trying to survive when at any time the prevalent crime can take away their meager wealth or even their life. When police can't be there the second your home is being robbed, seemingly not even the hour like in Detroit's "58 minute average response time" (Burns), only you are capable of defending your livelihood. The easiest way to do so is with a firearm and often the access to them is extremely limited for the poor. On top of the already steep price of the firearm, they also must pay for the appropriate licensing, fees, and go long periods of time without protection while their application is processed. Laws that seek to prevent gun crime and promote harder access to firearms do not prevent the criminals from obtaining them and only result in discriminating against impoverished law abiding citizens, costing them dearly.

For many of those in unfortunate circumstances, they merely that cannot afford the long period of time it takes to obtain the proper licensing, which these people mostly spend waiting around in danger and unprotected. This applies to people like Carol Bowne, who was "Convinced that he [Ex-boyfriend] intended to do her physical harm, she took out a restraining order, had security cameras installed at her home, and purchased an alarm system". Though it seems she had already done enough and gone to far lengths to protect herself, she felt she could do something more direct and resigned to purchase a handgun. In her state of New Jersey, she had to apply for a handgun permit before she could buy one, which usually takes up to 2 months. An average person like her, who works as a hairdresser with a friendly personality, obviously wouldn't be one to forgo the law even in her worrying situation so of course she filled out applications and waited patiently to buy her firearm legally. The unnecessarily long wait time spelled trouble from the start for her as she clearly felt her ex posed an immediate danger that wouldn't wait around for the government to approve her application, but between him and the

government she made the choice to stay legal and risk months without protection. In this story's end, unfortunately for Carol she was all too correct, and she was stabbed to death by her former boyfriend in her own driveway before that permit ever came close to being cleared (Cooke). Whether or not she could have used it fast enough to stop him is left up to debate, but at the very least she would have had the chance to try and that is much more than she had against her ex-con ex-boyfriend. As always people have differing opinions though, such as the author from a *Mother Jones* article criticize States with low requirements, claiming the higher requirements as in Ms. Bowne's case are necessary. The author was respectful and instead of only critiquing the matter he actually tried the process in Utah himself, and while reflecting on obtaining the concealed carry license he said "I struggle to load more than a few [fake rounds of ammunition] before they're ejected halfway across the room. But that's not going to stop Utah from giving me a permit." (Murphy). He believes that the lack of formal training required is irresponsible and will cause accidents for people who fumble in safety class or know nothing about firearms like him rather than truly help anyone defend themselves. However, with situations like Ms. Bowne's, and along with contrary statistical information from the CDC showing "The number of unintentional deaths due to firearm-related incidents accounted for less than 1 percent of all unintentional fatalities in 2010.... Only 2 percent of unintentional firearm-related deaths were connected with self-defense" (Leshner), says Murphy's worry of accidents is unfounded in reality and the low requirements are certainly worth it if they could help those like Ms. Bowne.

On a more broad scale of a city rather than a single individual's experience, an example of the legislation mentioned earlier is Chicago's long-lasting 1982 ban on handguns. At the time, these new laws were to outlaw the sale and ownership handguns within city limits that hadn't been registered prior to the ban. The end goal was to curb the evident and increasing gun violence in the city by theoretically making it more difficult for gang members to access handguns, as handguns were frequently used in gang-related homicides. Moved into action with good intentions as most of these similar bills are, the legislation was passed and it seemed to work. Handgun homicides dropped slightly for a few years afterward as they wanted, but then the lull ended. The rate began climbing and eventually "the number of murders in Chicago committed using handguns has been 40% higher than before the ban" (Watson). The cause of this increase in murders is up for interpretation, but with Chicago's murder per 100,000 people at 432 in 2010, the last year of the ban 28 years later, the legislation had certainly not done the city any favours (City-Data). The ones who live inside these desolate and dangerous areas of Chicago are the ones who must suffer the consequences of legislator's decision to take away their ability to defend themselves in failed attempts to lower violence. The reason for this ban was unsuccessful is because criminals do not obtain firearms by legal means, and even now, with no ban, criminals still deviate from the law and buy outside of the legal realm. In 2015 Philip J. Cook, Susan T. Parker, and Harold A. Pollack did research on the source of guns and interviewed criminals incarcerated in Cook County Jail, which mostly consists of Chicago

criminals. They concluded most usual route of obtaining firearms is through social connections, not fraudulent gun stores and that theft of legal firearms is unusual at best (Cook). If this study states that these legal handguns are not stolen, and nothing is bought legally from gun stores, then it shows that this ban did not have any chance in solving the problem it was put in place for. The laws made to prevent the gun crime most certainly did not result in lowering it, nor did it prevent firearms from landing in the hands of criminals, meaning we should question this legislation's use and reason for existing.

These attempts at preventative measures did not hurt the criminals, but they did hurt the law-abiding citizens. These measures specifically hurt the ones who are already worse off living in the poor areas of cities who had a difficult time affording a firearm even prior to legislation. The "Melting Point" (MP) legislation in Illinois forbid the sale of any handgun whose important metal parts could deform at less than 800 degrees Fahrenheit. This was an attempt to keep cheap firearms out of legal dealers and thus lower the market to a criminal, and make it more difficult to remove serial numbers from the firearm. As stated earlier most criminals do not purchase through proper channels, so the law's purpose is voided from the start, even its claim to prevent serial numbers being filed off is ludicrous as the difference of a minutes' work would still mean the number will be filed off. In taking cheap handguns off the legal market the law only succeeds in blocking those who wish to legally purchase firearms and cannot afford higher quality or more costly ones, and as Former Assistant United States Attorney T. Markus Funk puts it, they "discriminate against the poor who cannot afford to purchase more expensive handguns.... will also make it easier for the criminals to prey on the poor citizens rendered defenseless to the extent that their legal access to a handgun is blocked". Funk also recalls a similarity between today's Melting Point laws and Civil War's Tennessee gun bans. All handguns but the Army/Navy Revolvers commonly owned by Ex-Confederates were banned as an attempt to bar blacks from owning handguns since all cheaper handguns would now be off the market. These laws were in no way made to protect the public, transparently they were only created to get blacks and poor whites to relinquish firearms and make sure they never had them again (Funk). And at the very least unlike Melting Point laws it did succeed in its goal, whereas both block access the MP laws fail at its attempt to build a safer place. Even today with Illinois', and subsequently Chicago's, new laws allowing concealed carry they still do not take in mind the accommodation of the lower and working class peoples and prevent them from participating. The Illinois State Police describe the requirements of "16 hours of Concealed Carry firearms training provided by an ISP approved Instructor. \$300.00 payable with a credit card or electronic check." (U.S Gov't) in order to be eligible for concealed carry. For someone living under or at the poverty line and working to maintain what little they have giving away 300 dollars is a huge sum that adds on to the equal cost for the gun itself and then they must sacrifice another 16 hours of their time. All of this is unnecessary and extremely tough on law-abiding citizens who only want to protect themselves and who then must survive 90 days without their protection as the State

Police process their application (U.S Gov't). Would it not be possible to minimize these payments to a reasonable amount or have the course only be 4 hours long in order to help those with limited time and funds?

Lastly, if an impoverished citizen is thinking of undertaking these stringent requirements and obtain a license, they must now think if they will even be able to use it. Most working class citizens go through a daily routine that could possibly inhibit their ability to legally carry a firearm. The most concerning prohibited area is addressed in Illinois Statutes 430 ILCS 66/65 Section 8 that states it is prohibited for any licensee to carry their firearm on “Any bus, train, or form of transportation paid for in whole or in part with public funds, and any building, real property, and parking area under control of a public transportation facility paid for in whole or in part with public funds.” (Illinois General Assembly) And any person in the city looking to save every penny possible would likely take the bus or any form of public transportation, and Governing confirms this “In nearly all urban areas, data indicates public transportation commuters tend to be disproportionately poorer than those driving to work.” (Who) Reflecting on these two statements, it would seem that if this struggling person managed to obtain their license, it would have no use to them as their only source of transportation has banned their use of the license. If they cannot carry their firearm with them place to place, then their license isn't worth it's plastic as it means they cannot carry the firearm at all, this Statute clearly disproportionately affects the poor as Governing had stated many of those who use public transport are much poorer than those driving.

When laws hurt the common citizen so badly and do nothing to protect them, nor hurt the criminals, I must ask what use they do pose? It is unfair for the government to discriminate against any citizen, especially against those who already struggling day-to-day and our laws as a nation should reflect the inclusivity and equality that used to appeal so much to those seeking a new life here. When we look at cities like Chicago we shouldn't think, as Mr. Colion Noir says, “Aren't you glad you don't live here?”(Noir) but rather how can we make it easier for them? Even if it's not the main solution of the poverty and crime, self-defense is not merely a luxury of the wealthy, but an equalizer for all people, rich or poor. All these attempts to restrict access of firearms to criminals have only resulted in putting law-abiding and poor citizens at risk, who are the same people most of these laws seek to protect. We all have the right to defend life and property against those who wish to harm us, and I find that legislation as I've mentioned put the poor at an disadvantage they don't deserve. Everyone deserves the right to life, liberty, and the pursuit of happiness.

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