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QUEST COMMENTARY

Reject anti-gun law, search for an effective alternative

By C.D. Michel

WHILE the purported ends of Pasadena's proposed Saturday Night special ordinance are commendable, the means employed by this ordinance will not achieve those ends.

This ordinance does not address the problem of guns in the hands of criminals. Though disguised and professionally promoted as a "crime-fighting" and "safely" measure, the ordinance that Pasadena is considering is a manifestation of the political agenda of several related anti-gun groups. Their agenda is to ban handguns.

The legal challenges to this ordinance are far from exhausted. Until now, our lawsuit has been limited to the city of West Hollywood and has focused on the pre-emption issue. We are not, however, limited only to that lawsuit or that issue.

Firearms manufacturers are just now getting involved, and definitional problems are becoming apparent. Any attempt to prosecute a dealer under the ordinance will be ferociously resisted.

The attorney general's office has repeatedly held that local cities cannot enact this law because only the state has the authority to do so. The California Legislative Counsel has also stated that this specific law is pre-empted by the state.

The ordinance contains a roster of firearms designated as Saturday Night specials. That list will have to be constantly updated. Manufacturers can and will simply

change their model numbers to get around the law.

The federal Bureau of Alcohol Tobacco and Firearms and state Department of Justice statistics show that less than 10 percent of the guns used in crimes are bought in gun stores. The drug dealers and gang members who most often criminally possess a gun tend to acquire their guns illegally — by stealing them, buying them from non-licensed dealers or borrowing them from friends.

Curiously, the Center to Prevent Handgun Violence attached a state Department of Justice study to their amicus brief in the West Hollywood case that stated unequivocally that criminals prefer large-caliber, high quality guns. The overwhelming weapon of choice among criminals is the 9mm semi-automatic handgun. These guns typically cost \$400 to \$700.

Poor people count on inexpensive guns as a means of defending themselves and their families.

In these tight fiscal times, the city's time, money and energy could be more effectively spent in other ways. Youth programs, increased police and police technology, gang injunctions, etc. are all being successfully implemented to fight crime in other cities. We urge the City Council to reject this law in favor of something that will really make a difference in reducing the criminal use of firearms.

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