

Prohibition Misfires

Bar Groups Are Wrong To Support Local Bans On Handguns

By Chuck Michel
and Steven Silver

Recently, we addressed the trustees of the Los Angeles County Bar Association to speak against the bar's proposed resolution in support of local so-called Saturday night special laws. Handgun Control Inc., working with the San Francisco lawyers group called Legal Community Against Violence, together with the San Francisco County Bar, drafted this law and promotes it throughout the state. Roughly 30 cities passed it before firearms civil-rights activists got the facts out. Since then, dozens of cities have rejected it.

In urging the bar to reject the proposed resolution, we documented that contrary to HCL's claims, the targeted firearms are neither disproportionately used in crime nor unsafe, defective products. People buy them because they are economical home-defense guns. The trustees nonetheless voted to support the laws — not so much because they disagreed with the evidence we presented but because banning some guns furthers the bar's written goal of eliminating the private possession of all concealable weapons.

In 1994, the Los Angeles bar joined the San Francisco bar and adopted a resolution seeking that objective and, most significantly, supporting any law that furthered that goal. According to the bar associations, we don't need guns because more laws and lawyers will solve everything.

Many gun control groups, excluding the politically sensitive HCL, have the courage to admit they share the bar associations' prohibition agenda. But rather than advocating prohibition directly, these groups continue to push peripheral gun control measures while trying to win over public sentiment for a complete ban on handguns.

Debating gun prohibition openly is one thing; why the L.A. County Bar Association is debating this political issue in the first place is another. But right now handguns aren't prohibited, and lots of people own them for sport or self-defense. By advocating peripheral measures, many gun control groups are setting up law-abiding gun owners to

face criminal gun possession charges by advocating an increasingly complicated and arcane regulatory scheme solely as a means of achieving eventual prohibition. Advocating complicated regulations under that pretext is shameful.

Prohibitionists like the bar cannot be swayed by the problems with ill-conceived or sloppily drafted gun control laws. Whatever makes getting, possessing or using a gun more difficult is supported because it furthers the prohibition agenda. Criminalize as much as possible. Maximize penalties. Create red tape. Sport and self-defense gun owner casualties are a small price (for someone else) to pay. In fact, gun owners' suffering discourages others from buying a gun, so it furthers the prohibition agenda.

We represent people who suffer the results of gun control politics: The target shooter who unloaded his guns but forgot to lock his gun case on the way from the range; the out-of-town hunter who is stopped while driving through the city; the heir who didn't realize his father's Army relic is now an "assault weapon"; the gun store owner with a technical bookkeeping violation; the woman who carries a gun because her violent ex-spouse was stalking her and the city (contrary to state law) refused to issue her a concealed carry permit. These folks aren't what you'd commonly consider criminals, yet they pay the price.

In court, it's politically correct to be tough on guns.

Would handgun prohibition work? Absolutely not. There are roughly 80 million handguns in this country, less than 1 percent of which are ever used in crime. And the 99 percent good people who own them are quite attached to them. The government cannot "control" them any more than it has been able to control alcohol or drugs. Prohibition expands police power and fills our jails, but it accomplishes little. Do we want to turn gun owners who own for sport or self-defense into the next breed of criminal? We are.

More important, even if we could magically get every handgun out of every law-abiding American's hands, can we ever stop criminals from getting them? Can we stop their worldwide manufacture and importation? Could we even stop their manufacture here? This is where gun control advocates truly lose touch with reality. Guns are simple to make. Anyone can make a zip gun from a car antenna, a 2-by-4, a rubber band and some nails. There are millions of machine shops and home metal shops in this country. All are capable of making much more than zip guns.

But it's just handguns, right? Wrong. A "handgun" is different from a rifle or shotgun because it's more concealable. In the 1920s the gangsters preferred sawed-off rifles and shotguns. Sawed-off firearms

are now illegal, but so are concealed handguns possessed in public without a license. Criminals possess handguns in public nonetheless. The difference between a sawed-off rifle or shotgun and a full-length one is a hacksaw. Every rifle and every shotgun is a concealable firearm waiting to happen. What will Handgun Control Inc. change its name to when sawed-off firearms make a resurgence?

Criminals need fear for power over their victims, and a gun — short or long — gives it to them. It's the tool of their trade. But fear works both ways. The lesson from states with liberalized concealed weapon licensing laws is that we area all a lot safer when criminals must guess whether a possible victim is armed.

Wish as you might, you cannot uninvent firearms technology. Prohibitionists don't care if victims are left defenseless — possibly to die — while they're trying.

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