

Keep Illinois Safe: Oppose Concealed Carrying of Weapons (CCW)

HB 148 (Rep Phelps) – OPPOSE

HB 148 allows individuals to carry loaded, concealed guns in most public places. It would require the Illinois State Police to issue a CCW permit to any person meeting certain minimum qualifications, with limited discretion from local law enforcement. **As amended, neither the Illinois State Police nor municipal law enforcement are allowed to reject a CCW applicant or even make a recommendation for a denial.**

HB 148 allows people to carry concealed, loaded guns in most public places, including:

- Public trains and transportation
- Public transportation facilities
- Airport ticketing and pick up/drop off areas
- Public restrooms
- City streets and sidewalks
- Highways
- Many government buildings
- Restaurants
- Street fairs
- Playgrounds
- Parks
- In-home daycares
- Malls
- Hospitals
- Doctor's offices
- Grocery stores
- Beaches
- Gyms
- Pharmacies
- Parking lots
- Cafes
- Banks
- Gas stations
- Roller rinks
- Arcades
- Bowling alleys
- Farmers' markets

HA #2 to HB 148 allows individuals to carry guns in K-12 public schools and college campuses and universities with the consent of school authorities.

Why is concealed carry bad for Illinois?

It's dangerous. Recent studies have demonstrated that firearms possessed in public places present significant safety concerns for law enforcement, property owners, and members of the public. Concealed carry increases the chances that firearms will be used to settle disputes and increases the risk of accidental discharge in places where large numbers of people are gathered.

Mentally ill individuals will be able to carry guns in most public places. HB 148 does not require law enforcement to conduct an extensive mental health screening on CCW applicants, including a review of personal references and a psychological examination. The bill relies on background checks conducted by the Illinois State Police (ISP) through the FOID background check system. However, a recent ISP report called the FOID system a "ticking time bomb," and recently testified in a committee that **state and federal records fail to account for thousands of Illinois residents with mental illness that are prohibited purchasers.** Only 183 of 130,000 licensed clinicians send mental health records to the Illinois State Police, and less than one dozen of the 102 county courts have reported individuals adjudicated mentally defective to the state system. In fact, the **ISP should have reported an estimated 115,000 mental health records** to the FBI National Instant Background Check System (NICS) to prevent dangerously mentally ill persons from obtaining guns, **but has only reported 5,000.**

States are failing to keep CCW permits out of the wrong hands. An investigation by the South Florida Sun Sentinel found that **Florida accidentally issued CCW permits to over 1,400 individuals who had pleaded guilty or no contest to felonies,** 216 individuals with outstanding warrants, 128 people with active domestic violence injunctions against them, and six registered sex offenders.³

A Los Angeles Times investigation found that more than 400 criminals – including rapists and armed robbers – had been issued CCW permits in Texas. Thousands of Texas CCW permit holders had been arrested for criminal behavior or found to be mentally unstable. Many of these criminals committed crimes after getting their CCW permits. From 1996 to 2000, **Texas CCW permit holders were arrested for hundreds of weapon-related offenses,** which included 279 arrests for assault or aggravated assault with a deadly weapon; 671 arrests for unlawfully carrying a weapon; and 172 arrests for deadly conduct/discharge firearm.⁴

HA#2 to HB 148 does little to address the extremely dangerous aspects of this bill. Under the bill, out-of-state applicants would have to meet the Illinois eligibility requirements, but the bill does not specify how the ISP would verify those requirements other than relying on the documentation that the out-of-state applicant is eligible to own a gun in their home state and under federal law and, if applicable, has a CCW permit in their home state. It is well documented that many states have extremely lax regulations for concealed carry and gun ownership and, like Illinois, do not sufficiently report mental health and other records to the federal NICS background check system. **It is estimated that nationally, over one million mental health records are missing from the NICS system.**

The evidence does NOT support the claim that CCW laws reduce crime. Numerous academic studies by respected researchers (including the University of Chicago and Johns Hopkins University) have systematically criticized the methodology and faulty conclusions of studies cited by gun rights advocates as proof that CCW laws reduce violent crime.⁵ Studies published by the Stanford Law Review and the Journal of Trauma concluded that there is **no statistical evidence that CCW laws reduce crime**. The studies found that **the adoption of such laws generally will increase crime**.⁶ In addition, a 2005 National Academy of Sciences report found that there is no evidence to support the claim that CCW laws have a causal link to crime rate reduction.⁷

For all of these reasons and more, Illinois voters are opposed to concealed carry.

65% of Illinois voters are opposed to concealed carry. Year after year, Illinois policymakers reject concealed carry legislation. Why? Because concealed carry endangers the public and is strongly opposed by Illinois voters. In a recent, 2011 poll of Illinois voters, two of three Illinois voters (65%) were opposed to allowing individuals to carry loaded, concealed weapons. Of the voters opposed to CCW, most (87%) were strongly opposed.⁸

Who else is opposed to CCW? Governor Pat Quinn; Attorney General Lisa Madigan; Illinois State Police; Cook County Board President Toni Preckwinkle; Cook County Sheriff Tom Dart; Cook County State's Attorney Anita Alvarez; Mayor Richard M. Daley, City of Chicago; Chicago Police Department; Police Superintendent Terry Hilliard; Orland Park Chief of Police Tim McCarthy; Gurnee Police Chief Robert Jones; His Eminence Frances George Cardinal George, OMI, Archbishop of Chicago; Rabbi Michael Balinsky, Executive Vice President, Chicago Board of Rabbis; Bishop James Wilkowski, Evangelical Catholic Bishop, Diocese of the Northwest; Rev. Claude Christopher, Presiding Elder Chicago District AME Zion Church; The Right Rev. Jeffrey D. Lee, Episcopal Diocese of Chicago; The Right Rev. Dr. John C. Reynolds, Executive Presbyter, Presbytery of Chicago; American Academy of Pediatrics – Illinois, League of Women Voters, Voices for Illinois Children, National Council of Jewish Women, Northwest Municipal Conference, Children's Memorial Hospital, Illinois Restaurant Association, Purpose Over Pain, Loyola University Chicago, Crime Victims United of Illinois, The Deborah Movement, and the Uhlich Children's Advantage Network (UCAN).

Sources

¹ HB 148 as amended on April 28, 2011. www.ilga.gov.

² Illinois State Police. "Reducing Firearms Violence through Enhanced Mental Health and Systematic Reporting." October 1, 2009; Illinois House Human Services Appropriation Committee Hearing Testimony, April 14, 2011.

³ Megan O'Matz, *In Florida, It's Easy to Get a License to Carry a Gun*, South Florida Sun-Sentinel, Jan. 28, 2007, at 1A.

⁴ William C. Rempel & Richard A. Serrano, *Felons Get Concealed Gun Licenses Under Bush's 'Tough' Gun Law*, L.A. Times, Oct. 3, 2000, at A1.

⁵ See, e.g., Daniel Webster & Jens Ludwig, *Myths about Defensive Gun Use and Permissive Gun Carry Laws*, Berkeley Media Studies Group (2000); and John J. Donohue, *The Impact of Concealed-Carry Laws*, in *Evaluating Gun Policy: Effects on Crime and Violence* (Jens Ludwig & Philip J. Cook eds., 2003).

⁶ Ian Ayres & John J. Donohue III, *Shooting Down the "More Guns, Less Crime" Hypothesis*, 55 Stan. L. Rev. 1193, 1285, 1296 (Apr. 2003); Ian Ayres & John J. Donohue III, *The Latest Misfires in Support of the "More Guns, Less Crime" Hypothesis*, 55 Stan. L. Rev. 1371, 1397 (Apr. 2003). Hepburn L, Miller M, Azrael D, Hemenway D. *The effects of nondiscretionary concealed weapons carry permit laws on homicide*. Journal of Trauma 56:676-681 (2004).

⁷ National Research Council of the National Academies, *Firearms and Violence: A Critical Review* 7, 120 – 151 (2005).

⁸ Mellman Group. "2011 Polling Analysis: Illinois Voters Strongly Oppose Concealed-Carry." March 31, 2011. http://www.icpgv.org/pdf/CCWPoll_Memo.pdf