

**The Bill Blackwood  
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**Gun Control and Gun Free Zones**

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**A Leadership White Paper  
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**By  
David Dulude**

**Waskom Independent School District  
Waskom, Texas  
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## **ABSTRACT**

One of the major issues that seem to be going on in the United States of late is the fact that mass shootings are happening predominately in gun free zones. People have the false sense of security because of the idea that a gun free zone is safe because nobody can have guns in the area with the exception of law enforcement.

The places that have been deemed as gun free zones are mostly areas that have the most vulnerable in our society. Schools are the largest gun free zones in the United States and these children are the most vulnerable. It is our duty as a society to protect these individuals. So having an area that is protected by a law stating that the area is a gun free zone may sound great on paper but in practically it's an easy place for someone that wishes to do harm to be able to do it with little or no risk of being stopped prior to the harm being done. A law does not physically stop someone from doing harm. It only works if the person decides to obey the law.

In 1990, with the passing of the Gun Free Zone Act, it created an easy place for people to inflict harm on others with very little risk of being stopped prior to them committing the acts. The Gun Free Zone Act of 1990 needs to be repealed completely. With the repealing of this act, it will again allow law-abiding citizens to carry weapons in areas that the law had previously outlawed. Non-law abiding citizens have been carrying in these locations even when the law was put in force. In addition, it will create a truly safe environment for children to be in while they are at school. As stated, the repealing of the Gun Free Zone Act of 1990 will create a truly safe environment for people.

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## INTRODUCTION

The idea of gun control in the United States has been a political and social discussion since the founding of our country. Prior to the beginning of the United States in the late 1600's the people of Great Britain were dealing with government control by the sword. According to Morrill and Ashley (2017), "During the middle part of the 1600's the people of Great Britain were under the military control of Oliver Cromwell who ruled all of England" (para. 1). The country was, in the words of the great British historian Thomas Babington Macaulay, "governed by the sword," in that "the civil power" was "subjected to military dictation" (Spitzer, 2012). This caused the people of Great Britain to want something better.

The general mistrust that was instilled in the people of Great Britain of having a standing army that controls all aspects of their lives contributed to the beginning of the United States (Spitzer, 2012). Because of the mistrust, it is believed, even though it cannot be substantiated, was what led the people to create the Second Amendment to the Constitution of the United States (Adams, 1776). As the Second Amendment states: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed"(U.S. Const. amend. II, p. 13, para 2)

The argument about the interpretation of the Second Amendment has also been ongoing. From one end of no limits whatsoever to the only people that can have them is the military. Prior to the Great Britain's Bill of Rights of 1689 that set out certain rights of individuals that re-established the ability of Protestants to have arms to defend themselves. At the time the common practice was commoners were not allowed to

privately own arms to defend themselves but relied on the military for protection. With the history of the military taking over the control of the people the founders of the United States wanted a safeguard in the constitution. They believed the right of self-defense was given to us by the Creator (Spitzer, 2012).

The majority of the time, the United States government did not interfere with the private ownership of arms. It was not until the beginning of the late 19<sup>th</sup> century that major cities started restricting the carrying of firearms on private citizens because of safety concerns and shootings that occurred in the streets. In the early part of the 20<sup>th</sup> century, the federal government started to put restrictions on gun ownership in the United States. It started with good intentions because of the killings that were occurring in major cities during prohibition. In 1934, the National Firearms Act was passed; this was done to combat the gangster era which started with the Saint Valentine's Day massacre in 1929 (Spitzer, 2012). In 1968, the Gun Control Act was passed after the assassination of President John F Kennedy. This prohibited the interstate commerce of firearms except through a licensed dealer, manufacturers, and importers (Spitzer, 2012). In 1990 Congress passed and the president signed the Gun-Free Zones Act that established that the possession of guns within a set distance of a school zone to help keep school gun violence from happening ("Strategy: Gun-free safety", n.d.)

All the gun laws that have passed to restrict the citizen from owning or possessing firearms actually have not reduced gun violence, but just the opposite is true. Gun crimes over the past 20 years have been reduced even though there has been a rise in gun ownership. The proof of this is in the numbers: "The nation's total violent crime rate hit an all-time high in 1991. Thereafter, it declined 18 of the next 20

years, 49 percent overall, to a 41- year low in 2011” (“Gun ownership at all-time high”, 2013, para. 1). With the creation of the Gun-Free Zones Act of 1990, schools, businesses, and other public places have become an easy target for people who wish to do harm and this is the reason all gun-free zones should be abolished. Outlawing something does not stop everyone from doing what the law has said is wrong.

## **POSITION**

With the passing of the Gun-Free Zone act of 1990, this established areas that guns were banned. Because of this all throughout the United States, there were creations of gun free zones. The one that created the largest area of gun free zones was public and private schools. With the creation of these zones, it unintentionally created a safe space for people that intended harm to have easier access to commit these heinous crimes. Because these areas are considered to be safe, because they are gun free, only law abiding citizens will listen or abide by the signs that are posted, it creates an area where people with malicious intent to be able to do the things they do without fear of quick reprisal or having someone close that would be able to stop them.

Following is a few examples of this. In Colorado, it is legal to possess a concealed handgun on a person in most places including movies theaters. It is believed that Holmes picked that theater because of Cinemark’s stand that they did not want guns inside the theater and had signs posted to that effect at the doors (Lott, 2012).

The reason according to Lott (2012), this was true was because there was theater’s closer to Holmes’s residence. Aurora Plaza 8 Cinemas Latino de Aurora was only 1.2 miles instead of the four miles that the Cinemark theater was. The difference between the two theaters was that Cinemark had signs posted that guns were not

allowed and Plaza 8 allowed persons to carry their handguns concealed in their location (Lott, 2012). Lott went on to explain why people chose places that are gun free zones because the banning of concealed handguns left people defenseless to the heinous acts of a person who wants to commit those acts (Lott, 2012).

In 1999 in Littleton, Colorado at the Columbine High School shooting it was determined that one of the shooters, Dylan Klebold, strongly opposed Colorado legislations that was being considered at the time to allow concealed handguns to be carried on school campuses and that the attack occurred on the day the bill was scheduled to be voted on (Lott, 2012).

On June 7, 2013, a gunman killed five people including his parents. During his rampage, it was reported the gunman arrived at the Santa Monica College and started shooting again. According to witnesses, he was controlled and methodical and carefully took aim at his victims prior to shooting them (Hawkins, 2013).

A homeowner would not put a sign on a house saying this was a gun free house. It would be an open invitation for criminals to come commit crimes and there may be a perception that the citizen is an easy target. Adding these same signs on school buildings and other places of business creates a magnet for bad people to commit these horrific crimes (Kenny, 2012).

Policies and laws that create "gun free zones" give people a false sense of security and make them feel safe when they really are not. A result of these gun free zones is that people are being prosecuted for inadvertently breaking the law. Fortunately, the efforts to punish "the people who didn't do it" are getting less traction these days. The Supreme Court, of course, has recognized that under the Constitution,

honest people have a right to defend themselves with firearms, inside and outside the home, something that the U.S. Court of Appeals for the 7th Circuit recently acknowledged in striking down Illinois' gun-carry ban. Given that gun-free zones seem to be a place where most of the mass shootings happen, maybe the United States should be coming up with a way to reduce or eliminate them, rather than expand them. "As they say, if it saves just one life, it's worth it" (Reynolds, 2012, para. 8).

Another thing that "gun free zones" create is criminals. Many times, over the year's people, have been arrested for carrying guns in gun free zones, whether it was intentional or inadvertently people have been arrested for carrying a concealed handgun in an area that was restricted. In 2011, in Ohio, Ylli Gocaj from Michigan broke down on IH 75 and walked to the Islamic Center of Greater Toledo to use the phone. He had a concealed handgun on him at the time and when he went inside the center, the principal of the school saw the outline of his gun under his shirt and he was asked to leave. Mr. Gocaj left without any issue and later was arrested for carrying the gun into an area that was restricted (Miller, 2011). In May 2016, a teacher at Menominee Indian High School in Wisconsin was arrested because he had a firearm located in his private automobile while on school property. Jarrod Kuehn was arrested for felony possession of a firearm on school property even though no malicious intent was proven (Curtis, 2016). In February 2013, Joel Smith from Florida was pulled over for inspection violation. During the stop, Mr. Smith exited his vehicle to give the police officer his driver's license. While doing so, a handgun was briefly exposed that he was carrying concealed legally. The deputy arrested him for carrying a prohibited weapon openly. The charges were later dropped but Mr. Smith had to go through the ordeal (Hodges, 2013).



## COUNTER POSITION

The opposing side of this issue contends that allowing more guns in areas that are restricted would create more crime and more people would be involved in the mayhem that these individuals cause. In a report put out by The Law Center to Prevent Gun Violence, it is contended that guns are used to commit more crimes at a higher rate in states that have lax gun control laws than in states that have firm gun control (“2013 state scorecard”, 2013).

These reports include all gun violence, not just gun violence used by people who are law abiding. They include all homicides including gang violence and suicides. If you take these two stats out of the report, their data would not prove their point. Gang violence would still happen even if the country made purchasing a firearm more difficult in the states that have lax gun control laws because criminals would not listen to the laws and would continue to commit their acts. It is true that firearms are used in many of the suicides, but as sad as suicide is, people would still use other means to take their own lives. Also in 2013, private gun sales skyrocketed with over 21 million background checks done. For the first part of 2014 according to an FBI report all the offenses in the violent crime category—murder and non-negligent manslaughter, rape (revised definition), aggravated assault, and robbery—showed decreases when data from the first six months of 2014 were compared with data from the first six months of 2013. The number of murders declined 6%, the number of rapes declined 10.1%, aggravated assaults decreased 1.6%, and robbery offenses decreased 10.3%. Violent crime decreased in all city groupings. The largest decrease, 6.7%, was noted in cities with fewer than 10,000 in population. Violent crime decreased 7.6% in non-metropolitan

counties and 4.4% in metropolitan counties. Violent crime declined in each of the nation's four regions. The largest decrease, 7.6%, was noted in the Midwest, followed by 6.6% in the Northeast, 3.0% in the South, and 2.7% in the West (FBI, 2015).

They also state that "Gun Free Zones" create a safer area for people. Gun Free Zones are not any more dangerous than any other area. Studies have been done and nowhere has any evidence been supported that killers attacked targets just because they were gun free. A study conducted looking at 62 mass shootings over the last 30 years determined that 20 of them occurred at a workplace where an employee had problems with specific individuals. Also in 36 of these, it was determined that it was a murder/suicide type of attack and in seven more it was suicide by cop. Of the 62 shootings that were looked at, none of these were stopped by a citizen with a gun (Foleman, 2013).

The study that was put out by The Law Center to Prevent Gun Violence in 2013 was conducted by cherry picking certain incidences to support their idea to skew the numbers in support of their beliefs. The Crime Prevention Research Center looked closely at the study and determined that after an in-depth look at the report on mass shootings that occurred determined that from 1950 thru Feb 2016 98.8% of those shootings occurred in a gun free zone that leaves only 1.2% happening in other areas. The data was skewed to support the ideas they wanted to. So even though no evidence can be presented that states that these individuals attacked in gun free areas it's hard to not support the overwhelming numbers that show that attacks happen in gun free zones ("Updated: More misleading information", 2014)

## RECOMMENDATION

With all the negative aspects of having a gun free zone, the facts speak for themselves. The creation of the gun free zones did not have the effect that the policymakers had hoped for. They had determined that the creation of the gun free zones would stop mass shootings from happening because people would not be allowed to have weapons in the area. Unfortunately, gun free zones have instead created an area that gives the idea to mass shooters that they are less likely to be stopped prior to them doing their carnage. With that being said the evidence clearly speaks that gun free zones do nothing to protect the people they were set out to correct and should be abolished.

Gun free zones are not doing the job that they were intended to do. Gun free zones have instead created an area where citizens are defenseless to the mad men that wish to do harm. The other aspect of a gun free zone it has created criminals, ordinary citizens that make mistakes and carry a firearm on them into a gun free zone are being arrested and charged with crimes. In some cases, the charges have been dropped but in others, these individuals have to serve jail sentences.

The opposition believes that allowing more people to own guns will create more crimes and that higher gun ownership leads to higher crime rates. They use reports that are skewed in the direction that they want to prove to support their ideas. But the truth of the matter is that more guns equal less crime and the data reflects this.

They also state that gun free zones create a safe space for people because guns being allowed in those areas would create a place of safety. Yes, again they pulled data from reports that skewed the report. They redefined the definition of mass

shootings to include areas even around a gun free zone that stemmed mainly from gang violence. Also, they included suicides in their data so the results did not just include gun free zone areas. When the data was looked at correctly and used only shootings that happened in true gun free zones it was determined that from 1950 through February 2016, 98.8% of mass shootings had occurred in gun free zones where people could not protect themselves and 1.2% happened in other areas. So based on this evidence, gun free zones are an area where people with ill intent have a place they can cause this carnage without fear of quick reprisal.

The research that was done to support this report was taken from many sources from both sides of the argument and looked at from an open-minded point of view. With the research that has been done on this subject, it supports the suggestion that gun free zones should be done away with.

There are a few options that can be tried to fix this. One could be a sample test done in certain areas of the country that could remove the law that creates a gun-free area and allow law-abiding citizens that have handgun licenses to carry their weapons into those areas to see if it helps the situation. Another option would be to remove the federal law and let the individual states do what their state citizens want to be done. They could put the issue to vote and let democracy take control of the issue instead of a handful of lawmakers. Lawmakers that are already protected by armed individuals.

In closing, on June 12, 2016, in Orlando, Florida, a lone gunman went to a club called Pulse and killed 49 individuals and injured 53 others. This club was a gun free zone. This was the largest mass shooting in modern US history. It was committed by a US citizen of Afghanistan descent. This individual believed that because a majority of

the customers at the club were of the lesbian, gay, bisexual, and transgender community and that it was against his personal beliefs that LGBT was an abomination. He killed these people for no other reason that they were gay. This was a heinous act committed against defenseless people. The days after this attack the US federal government has again started talking about doing away with guns and the ability of law-abiding citizens to protect themselves against people who wish to do them harm, While they are themselves protected 24 hours a day by armed security, it is their belief that everyday citizens should not be afforded the same rights they have. Their belief is that if guns are taken away, then the shootings would not be able to happen. That is the same philosophy that created the gun free zone in the first place.

## REFERENCES

Adams, S. (1776). Letter to James Warren.

Constitution, U. (n.d.). Ammendment II.

Curtis, B. (2016, May). *Teacher has gun in car, everyone loses their minds*. Retrieved from: <http://concealednation.org/2016/05/teacher-has-gun-in-car-everyone-loses-their-minds/>

FBI National Press (2015, January 26). FBI releases peliminary semiannual crime statistics for 2014. Retrieved from: <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-preliminary-semiannual-crime-statistics-for-2014>

Foleman, M. (2013, April 1st). *The NRA myth of gun free zones*. Retrieved from: <http://www.motherjones.com/politics/2013/04/gun-free-zones-mass-shootings>

Gun ownership at all-time high, nation's murder rate at nearly all-time low (2013, Feburary). NRA-ILA. Retrieved from: <https://www.nraila.org/articles/20130215/more-guns-less-crime-2013>

Hawkins, A. (2013, June 8th). Lessons from Santa Monica: Criminals know gun-free zones are easy targets. Retrieved from: <http://www.breitbart.com/big-government/2013/06/08/lessons-from-santa-monica-shooters-don-t-have-to-hurry-in-gun-free-zones/>

Hodges, P. (2013, Febuary 4th). *Legal gun carrier aressted for carrying gun*. Retrieved from: <http://godfatherpolitics.com/legal-gun-carrier-arrested-for-carrying-gun/>

Kenny, J. (2012, December 17). *Gun free zones called "magnets for mass shooters"*. Retrieved from: <http://www.thenewamerican.com/usnews/crime/item/13942-gun-free-zones-called-magnets-for-mass-shooters>

Lott, J. R. (2012, September). How do Multiple Victim Public Shooters Decide Where to Attack. *ACJS Today* , pp. 14-17.

Miller, T. (2011). *MI man arrested for bringing gun into OH school safety zone*.

Retrieved from: <http://www.wtol.com/story/13834319/mi-man-arrested-for-bringing-gun-into-oh-school-safety-zone>

Morrill, J.S. & Ashley, M. (2017, March). Olive Cromwell. In *Britannica Encyclopedia*.

Retrived from: <https://www.britannica.com/biography/Oliver-Cromwell>

Reynolds, G. H. (2012, December 14). *Gun free zones provide false sense of security*.

Retrieved from: <http://www.usatoday.com/story/opinion/2012/12/14/connecticut-school-shooting-gun-control/1770345/>

Spitzer, R. J. (2012). *The Politics of Gun Control*. Paradigm Publishers.

Strategy: Gun-free safety zones (n.d.). National Crime Prevention Council. Retrieved from: <http://www.ncpc.org/topics/school-safety/strategies/strategy-gun-free-school-zones/>

Updated: More misleading information from Bloomberg's everytown for gun safety on gunds: "Analysis of recent mass shootings" (2014, Sept.). Retrieved from: <http://crimeresearch.org/2014/09/more-misleading-information-from-bloombergs-everytown-for-gun-safety-on-guns-analysis-of-recent-mass-shootings/>

2013 State scorecard: Why gun laws matter (2013, December 9). Retrieved from: <http://smartgunlaws.org/2013-state-scorecard-why-gun-laws-matter/>