



Written by [Bob Adelman](#) on April 7, 2014

## Otis McDonald, Key to Ending Chicago's Handgun Ban, Dead at 79

Otis McDonald (shown), a long-time Chicago resident and the lead plaintiff in the Second Amendment case *McDonald v. Chicago* which overturned Chicago's handgun ban, [died](#) Friday, April 4 at age 79.



It's likely that he didn't fully appreciate the impact that the 2010 decision made by the Supreme Court would have in the freedom fight in America. What is clear is that the influence of that case will continue to be felt for years to come.

Within two years of that decision, the Seventh Circuit Court of Appeals ruled in *Ezell v. Chicago* that Chicago's draconian gun control laws were unconstitutional, followed by the same court's decision in *Moore v. Madigan* to require the Illinois legislature to rewrite state law allowing concealed carry in the state for the first time since 1982. Illinois began issuing licenses in January.

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McDonald's background was so different from anti-gunners' stereotypical view of the average gun owner that he served attorney Alan Gura's purpose perfectly. Gura was the lead attorney for the Second Amendment Foundation in *Heller v. District of Columbia* in 2008, which held that the Second Amendment not only applies to federal enclaves such as Washington, D.C., but also that it protects an individual's right to keep and bear firearms. Gura read with great interest Judge Scalia's opinion, in which the justice wrote:

Blacks were routinely disarmed by Southern States after the Civil War. Those who opposed these injustices frequently state that they infringed blacks' constitutional right to keep and bear arms.

Gura knew that any case brought before the court to give the opportunity to expand further the *Heller* decision to every state (through "incorporation" of the 14th Amendment) would be helped if he could find a plaintiff who was black. In addition to McDonald, Gura assembled three others who would also serve to negate and frustrate the anti-gunners stereotypical misperception of a gun-owning American.

For example, Gura enlisted the help of Adam Orlov, a 40-year-old liberal, to join McDonald. Orlov summarized his own background: "I grew up in Rogers Park ... a very liberal household: no firearms, not hunters, nothing like that." But as a police officer in Evanston, Orlov cultivated an interest in the law, and when he learned that Gura was planning to challenge the city of Chicago after his success in *Heller*, he approached Gura.

To round things out, Gura recruited Colleen and David Lawson, a mixed-race, middle-aged couple living in Chicago's eminently forgettable middle-class neighborhood of Far Northwest Side. Colleen had had little interest in, or use for, guns until one afternoon when their home was broken into by three thugs when she was at home sick with the flu.

But McDonald was selected to lead the parade of plaintiffs. One of 12 children born to sharecroppers in



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1933, McDonald joined the Army at age 17 and served for several years. In 1952, he moved to Chicago, where he barely existed on part-time jobs before finally being hired full time by the University of Chicago as a janitor. He worked his way up to become the maintenance engineer at one of the university's buildings, while studying at night at Kennedy-King College, where he eventually obtained an associate's degree.

In 1971, he bought a home in a nice neighborhood for his wife and family, but by the 1990s, the area had suffered a serious decline and was increasingly inhabited by dope dealers and gangs, who bedeviled the elderly. McDonald found himself threatened by these miscreants whenever he was outside his home, and constantly had to clean up garbage (and worse) they threw onto his front yard. In the past few years, there were five break-ins at his home, and McDonald yearned to defend himself. He told *Chicago* magazine in the summer of 2008:

You go out there in the morning and pick up bottles and things on the lawn.

[The gang members] are out there at three in the morning, in the middle of the street, drinking and smoking their stuff.

They throw stuff all over your lawn, and you can't say anything because they might up and shoot you.

McDonald owned a number of long guns, but felt they were unwieldy in the event he had to defend himself from another attack. But Chicago's laws against owning a handgun were so onerous that he essentially was defenseless. In an interview with Massad Ayoob in 2010, McDonald said, "I own long guns ... but how long do you think it will take me to get up, get out of bed, and get my hands on a shotgun if someone is breaking in through the bedroom window?"

In the summer of 2007, McDonald attended a gun-rights rally in Springfield where an organizer introduced him to Gura.

As Ayoob expressed it when he learned that McDonald was going to be the lead plaintiff in the lawsuit against Chicago:

When the Second Amendment Foundation mounted this challenge to the Chicago handgun ban, they could not have made a better choice.

Mr. McDonald is your quintessential hard-working, self-made American.

May Otis McDonald — the unheralded American hero who only wanted to live a quiet and peaceable life, enjoying rights enshrined in the Bill of Rights — rest in peace. May his legacy continue to grow.



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