

Do armed citizens in more places make us safer or increase danger? Wisdom of gun-free zones is up for debate

By Paul Hammel / World-Herald BUreau | Posted: Friday, March 4, 2016 12:00 am

LINCOLN — Wednesday’s brawl at the Douglas County Courthouse would have been a lot more menacing if the combatants would have been allowed to carry firearms.

And a lot more pricey for taxpayers.

That’s what a panel of state lawmakers was told Thursday as they considered a proposal that would relax the state’s requirement of “gun-free zones” at schools, universities, bars, banks, hospitals and courthouses.



Legislature - teaser

State Sen. Tommy Garrett of Bellevue introduced Legislative Bill 769 to address concerns about the proliferation of mass shootings across the nation.

Gun-free zones, Garrett said, are “the targets of choice for the criminally deranged.” Because concealed-carry permit holders are banned from carrying guns in those zones, he said, the public is left defenseless.

“Somebody has to fight back,” Garrett said, “and not get slaughtered.”

Under LB 769, the state’s gun-free zones would be abolished, though schools, bars and others could opt to declare their own property “gun free” and post signs to indicate that.

But opponents of the bill said creating a potential patchwork of gun-free zones would be confusing and having more armed people in more places would increase firearm accidents and not deter shootings.

“Do Nebraska lawmakers really want to replace textbooks with guns?” asked Jan Hobbs of Moms Demand Action for Gun Sense in America.

The Nebraska Bar Association, the state’s lawyers group, also opposed the bill, which could allow concealed-carry guns in courthouses but ban them inside courtrooms. That led to a discussion of the violent melee in the hallways of the Douglas County Courthouse during a break in a double-homicide trial on Wednesday.

There are metal detectors at three entrances to the Douglas County Courthouse, which is a gun-free zone. The Douglas County Sheriff's Office estimated that it would need 31 more security guards and metal detectors outside each of the 34 courtrooms if the gun-free status ended. The cost was estimated at \$2.7 million in the first year and \$1.9 million in the second.

Garrett said the expensive fiscal note from Douglas County was a "specious argument," because the county, under his bill, could opt to retain the courthouse's gun-free status, resulting in no extra cost.

But Bill Moeller, a lobbyist for the bar association, said it was important to maintain "uniformity" in all 93 of Nebraska's counties by retaining the gun ban at all courthouses.

Beyond that, most of the debate over LB 769 focused on the standard argument: Does allowing more guns increase safety or create more danger?

Garrett said if guns were allowed in what now are gun-free zones, armed citizens could reduce the carnage of mass shootings. He said his bill would "decriminalize personal protection."

Rod Moeller of the Nebraska Firearm Owners Association said predictions that there would be "blood on the streets" if concealed handguns were permitted in Nebraska have not come true. Permit holders, he said, are law-abiding citizens who should be allowed to defend themselves.

But several opponents criticized the bill, saying that putting more guns in more places would increase accidental shootings. Because concealed-carry holders are not trained in combat, the critics said it was doubtful that mass shootings could be deterred.

Teachers said they feared more gun violence in schools and universities if upset parents or students could carry handguns. Emergency room workers said they had seen too many wounded children from accidental shootings. And university officials said it would be difficult to post enough "gun-free signs" at their wide-open campuses.

Lincoln Sen. Patty Pansing Brooks said the state risked losing \$117 million in federal funding of schools if LB 769 was adopted because it would put Nebraska out of compliance with a federal gun-free schools act.

The Legislature's Judiciary Committee took no action on LB 769 and four other gun bills after a public hearing. Most are not expected to be debated this year.

The other gun-related bills presented to the committee:

- » LB 681, which would allow concealed-carry permit holders who accidentally carried a handgun into a prohibited location a chance to correct their mistake before they are charged with a crime.
- » LB 1090, which would require that the State Patrol to notify other law enforcement agencies if someone fraudulently tried to obtain a state handgun buyer's permit or a concealed-carry permit.

» LB 971, which would require a court hearing before a firearm confiscated by law enforcement as part of an emergency mental health commitment and not used in a crime could be returned to its owner. The bill was introduced on behalf of the Nebraska Sheriffs' Association because of a concern that people with a recent mental health crisis could too easily and too quickly get their guns back.

» LB 815, which would clarify that "clear and convincing" evidence is the standard of proof required by a mental health board in determining if a person's gun rights should be restored.

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