

## The Language of Liberty Series



### **Gun Free Schools: Magnets for Murder**

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You can call it a God given right or a natural right, but each individual has an inherent right to life and to sustain that life. This innate instinct for self-preservation is built into our DNA. When confronted with a threat our pupils dilate, our heart rate increases, blood is diverted from the digestive system to the muscular system. It is the fight or flight reaction. Do we have a right of self-defense? As John Locke said, “In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men, for their mutual security; . . . And in the case, and upon this ground, every man hath a right to punish the offender, and be executioner of the law of nature.” -*Two Treatises of Government, An Essay Concerning Human Understanding*

Yet throughout this country, the government has infringed on this right by setting aside areas where the criminals ability to inflict harm is greater than our ability to defend. These are called “gun free zones.”

Journalist Trevor Hughes in a USA Today [opinion column](#) made the case for carrying a concealed weapon. “Time and time again, mass murderers have targeted groups that were unprepared to fight back. Soft targets. What a terrible phrase. For me, like for many people I’ve talked to, San Bernardino was the tipping point. As someone who goes to lots of community meetings and rallies, I’m all too aware of how vulnerable we are. A holiday party? Your co-workers? (For me, it started with movie theaters.) I’m not a fan of waiting for the next attack from a religious terrorist.” “But if me carrying a concealed weapon — just like millions of my responsible neighbors in this country — deters someone from attacking my friends and neighbors, maybe that’s worth it. You don’t see terror attacks in this country on areas where there’s lots of armed men and women. Instead, it’s those soft targets that get hit. Maybe it’s time we made sure our enemies, both foreign and domestic, understand that we shoot back.”

The [Crime Control Act of 1990](#) was the latest federal legislation that prohibited firearms in school zones, which extend 1,000 feet around school property. In 1995, the United States Supreme Court ruled the Act was unconstitutional in the [United States vs. Lopez](#) case. Following that decision, U. S. Attorney General Janet Reno proposed a change in the United States Code that were adopted in the [Omnibus Consolidated Appropriations](#)

[Act of 1997](#) which took effect in September 30, 1996 that reinstated the school gun free zones. It was one sentence in a 750 page bill that stated, "(4) Nothing in this subsection shall be construed as preempting or preventing a State or local government from enacting a statute establishing gun free school zones as provided in this subsection."

It is a given that throughout the nation virtually all public schools are gun free zones. School children are more likely to die by a lightning strike than getting shot at school, yet parents are more fearful of an armed intruder (Source: [CDC WISQARS](#) database for 1999-2013). Why do school districts advertise in their school policy that they are soft targets? Why not at least make it ambiguous? In Missouri, every school district has the ability to change their policy. Chapter 571, [Section 107](#) of the Missouri Revised Statutes delineates where you cannot carry a firearm even with a concealed carry permit. Subsection (10) states in part, "Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board." Any school district Board of Education could give its consent by changing the school policy.

In 2014, the Missouri legislature passed [SB656](#), which allowed administrators and teachers to become [School Protection Officers](#). To become a School Protection Officer an individual is required to undergo [POST](#) training which includes successful completion of a 112 hour School Protection Officer Training Program and passing a firearms practical exam. This training program is a subset of the training program required to become a police officer.

Change is slowly occurring. There are a handful of schools across the country that has an administrator or a teacher in the school with access to a firearm. In 2013, [seven states](#) enacted laws that allow teachers and other staff to be armed. The states include: Alabama, Arkansas, Kansas, Oklahoma, South Dakota, Tennessee, and Texas. As noted above, Missouri changed its laws in 2014. A few school districts in [Texas](#) have changed their policy and now have armed administrators or teachers in school buildings.

There are numerous policies to incorporate firearms in schools. One possible proposal could include:

- Every school building that houses students will have from one to six personal gun safes securely attached to a wall or a large piece of furniture. The location of each gun safe should be hidden from students and school visitors.
- In each building, from zero to six certified teachers and/or administrative staff (authorized staff) will have access to at least one of the personal gun safes. A firearm and ammunition will be secured in each gun safe for the authorized staff that has access to that particular gun safe(s).
- The authorized staff must be a certified School Protection Officer as defined by the Missouri Department of Public Safety and maintain the certification.

- The Superintendent will have access to all of the gun safes and will be the only district employee with a list of all authorized staff who have access to gun safes.
- The personal gun safes will have both key and electronic locks. Electronic locks so the user does not have to search for a key in an emergency, and a key lock so the safe can be accessed by the Superintendent.

The purpose of the proposal is ambiguity. There will be gun safes in every building that houses students. This circumvents the problem of having a firearm on the teacher that could be discoverable by students. The number and identity of the authorized staff, if any, who have access to a firearm in each building, will be known only to the Superintendent. Any potential intruder does not know if they will face armed resistance, which by itself is a significant deterrent.

One impediment to this entire process is school district insurance policies that prohibit firearms in schools. If the district insurance carrier will not comply with state law, the school district should renegotiate the policy or find another insurance carrier.

Shouldn't children be as safe at school as they are at home?

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