

Testimony on HB 2353
House Federal and State Affairs Committee
January 25, 2012
James R. Floyd, Liberal

Mr. Chairman, Ladies and Gentlemen of the Committee:

I am Jim Floyd. I live near Liberal, KS. Although I am not a native Kansan, I have lived in and operated an Agricultural Aviation business in Liberal since 1974 and I have had a small ranching operation since 1981. I married a Kansan. I have had a Kansas Concealed Carry Permit since they first were issued in 2007 and before that I had a Florida non-resident permit since 2003. I am a member of several firearms organizations such as the NRA, but I am representing only myself.

One might ask why I carry a gun. I consider concealed carry like wearing a seat belt. I have worn a seat belt since I graduated from college in 1964. My first wreck was in 2010 when another driver made a wrong turn. After all that time I was glad I had continued wearing a seat belt.

I am here to support HB 2353 because I believe it addresses a problem that has arisen in practice with the current concealed carry law, and that problem is that while qualified adults are permitted to arm themselves for self defense, most public building managers feel they must post their buildings against concealed carry. They create a make-believe gun-free zone, while they themselves take no steps to actually make the building safe. If we want gun-free zones then we should insure they are really gun-free.

The essence of the bill is simple: if you will not allow me the means to protect myself, then you must take adequate precautions to insure that I am in a safe environment. While some folks, especially government officials, fear that the presence of an armed public increases the danger of violence, just the opposite has proven to be the case. The predicted blood in the streets after concealed carry passed in state after state simply never happened. Several states allow citizen-carry in public buildings without problems. Examples include the Texas Capitol and seventy public colleges in Utah and other states. A recent court decision in Oregon allowed licensed concealed carry on college campuses in that state.

While many public building managers will complain that they cannot afford to buy metal detectors and hire armed guards, they miss the point. Removing the "No-Guns" signs removes the fantasy safety zone and allows licensed adults to, in the gravest extreme, defend themselves.

We must remember that, with one exception, all non-family mass shootings (examples, Columbine, VA Tech, and Fort Hood) have occurred in designated gun free zones. The shooting in Tucson just over a year ago was the only non-family mass shooting not in a gun-free zone and while at least two citizens present were armed neither had a clear shot, and they wisely did not draw their weapons.

I have noticed most public buildings are posted with "No Guns" signs at the entrances in accordance with the Kansas concealed handgun law. As a long-time small business owner I can sympathize with management's desire to control the premises. However, I think we should consider the upside of concealed carry before posting "No Guns" signs. If someone thinks establishing a "Policy" or

posting a picture of a gun with a slash through it will stop the lawless from bringing a weapon on the premises, think again. It is absurd to dream that criminals who would plan an assault, rape, or murder would then obey a "No Guns" sign on the door. Management is only advertising a safe haven for predators and killers. Criminals will ignore "Policy" and signs. Several mass killings have occurred in gun-free zones in private businesses, post offices, and most notoriously, schools.

In October 1991, Dr. Suzanna Gratia and her parents met for lunch in Luby's Cafeteria in Killeen, TX when a deranged man drove his pickup truck through the wall of the restaurant, stepped out, and began systematically executing defenseless diners. She and her parents took refuge behind an overturned table when Dr. Gratia remembered she had left her handgun in her car because Texas law at the time had no provision for lawful concealed carry. The gunman mortally wounded her father who, though unarmed, had courageously attempted to stop the murderous rampage. Suzanna scrambled to escape through a window broken out by a frantic patron and looked back to her horror to see her mother was cradling her dying father. That act drew the attention of the gunman, who then executed Mrs. Gratia. Suzanna's parents died in each others arms along with 21 other law-abiding, disarmed, defenseless people, prevented from having a means to defend themselves by laws enacted by people who think guns can only do bad things. Twenty additional patrons were injured.

Now married and a mother, Dr. Gratia-Hupp has expressed less anger with a gunman whose mental state was probably beyond help, than anger with government officials -such as yourselves- who passed laws showing a total lack of trust in ordinary law-abiding citizens to, in the gravest extreme, defend themselves. Suzanna, and at least two other patrons, one of whom was killed and one whose wife was killed, had left their guns in their cars in accordance with the law. The police do their best but cannot be everywhere and indeed the US Supreme Court has rightfully decided law enforcement has no obligation to defend an individual citizen, only to maintain the peace.

The April 2007 shootings at Virginia Tech have special relevance to me because I graduated from Virginia Tech in 1964. Before the shooting, the Virginia Tech Administration congratulated themselves for declaring the campus gun-free so that students, staff and parents could feel safe. The tasteful memorial, thirty-two three-hundred-pound blocks of Hokie Stone engraved with the names of the deceased, to me is a beautiful monument to a failed policy. The dismal facts of the shootings in gun-free schools such as Northern Illinois University, the Pennsylvania Amish girls' school, Columbine and others, speak for themselves. I believe it is likely that if some of the staff or adult students were armed, the killings would have ended much sooner.

I often encounter folks who doubt that an armed citizen, or indeed a law enforcement officer trained to less than SWAT team standards, could be effective in dealing with an active mass shooter. We are too incompetent, the wrong folks would be shot, and we would not stop the shooter. Then, one must think of the liability. Colin Goddard, one of 25 injured survivors in the Virginia Tech shooting, has recovered from four bullet wounds and now works for the Brady Campaign. He asserts that more guns in the classrooms at Norris Hall would have only made things worse, that he and the other victims did all they could have done or that anyone should have been allowed to do to save themselves. Goddard reacted to the shooter the same way probably most of America's youth have been trained to do in our politically correct society; he called 911 and curled up on the floor.

History indicates an effective resistance can be mounted. In December 2007 a gunman with a rifle and 1000 rounds of ammunition attacked the New Life Church in Colorado Springs and killed two and wounded three before church member Jeanne Assam shot the man and stopped the killing. In July 1993 in Cape Town South Africa, four terrorists attacked the evening services at St. James Church attended by about 1500 worshipers. Armed with grenades and fully automatic AK 47s, the terrorists planned to kill everyone in the church when Charl Van Wyk, armed with a short barreled five shot revolver and no additional ammunition, returned fire, wounding one terrorist and scaring off the others. Eleven worshipers were killed and fifty-two were wounded, but the carnage would have been much worse if he had not returned fire. Van Wyk had served two years in the South African Army, otherwise he had no special training. In his book and DVD "Shooting Back", Van Wyk concludes that a law-abiding citizen not only has a right, but also, actually has a duty to be armed to protect oneself, one's family, and society in general.

Surely we should have learned from incidents such as 9-11-01, Virginia Tech, or Columbine, that an unarmed populace meekly hunkering in their seats or hiding behind their desks waiting for a government employee to hurry to the rescue will be an exercise in futility, even cowardice, for not protecting ourselves and other good people from evil. Whatever their response in any incident, the victims present at the beginning of the incident are the first responders. Short of a metal detector and an armed guard at the door, criminals will ignore no-guns signs. Do you really believe that folks hiding behind their tables and desks waiting for a gunman to select his next target will thank those who decided this should be a gun free zone? The state has, after a background check and training, recognized the right of law-abiding adults including myself to self-defense with a firearm. I hold anyone responsible who infringes on that right.
Respectfully submitted,

James R. Floyd
PO Box 1549
Liberal, KS 67905
Cell 620-482-2406