

# The Open Carry Library

Navigating gun policies in the age of open carry laws and mass shootings

By Mary Beth Chappell Lyles



Most people do not associate libraries with weapons, guns, or violent conflict. People perceive libraries, whether right or wrong, as safe, inherently peaceful, and often quiet places. In the case of public libraries, the added expectation exists that the space is a resource available for everyone's benefit. It is a unique conception of space, perhaps only rivaled by that of houses of worship. Despite this perception, the specter of the library as a theater for mass violence was raised by the 2013 Santa Monica shooting. On June 7, 2013, John Zawahiri opened fire on people, cars, buildings, and a bus in the Santa Monica area, killing and wounding several bystanders. He then proceeded to the Santa Monica College Library and began to shoot before, in turn, being shot by police. *The New York Times* reported that patrons fled from the library's back door when Zawahiri entered the building and started to fire.

It is surely no exaggeration to say that the 2013 Santa Monica shooting constitutes the absolute worst nightmare of any library professional. Library security is often a complex issue, inherently enmeshed with the internal politics of the entity or organization with which a library is associated. Generally, the American Library Association offers guidance related to best practices on its website, including an ethical duty to offer security to those using and working in the library. Additionally, the Library Leadership and Management Association Building and Equipment Section's Safety & Security of Library Buildings Committee prepared a *Library Security Guidelines Document*, dated June 27, 2010, which states that a "Library Director, or designee in safety and security matters, should be responsible for: ensuring the physical protection of both library staff and library patrons. He/she also is responsible for protecting the building, its contents, and its immediate surroundings."

In light of incidents like the Santa Monica shooting, it is not a stretch to

assume that a visibly armed patron is, at a minimum, likely to cause anxiety and bring about intimidation among non-armed patrons and library professionals alike. A "no guns" policy, which, granted, might not effectively stop an armed assailant in the vein of the Santa Monica shooter (absent a metal detector or X-ray machine) but would prevent adverse reactions to casually carried firearms, might seem like a common sense measure for a library to enact in the cause of patron comfort. However, open carry laws in several states, some of them recently enacted, and the deliberately increased visibility and activity of proponents of the open carry movement challenge the ability of libraries to control the presence of guns within their walls.

## The Movement

So what exactly is the Open Carry Movement? According to the website **OpenCarry.org**, the self-described "social networking portal for the open carry movement," which proclaims the motto "a right unexercised is a right lost," this movement works to protect the "right to openly carry properly holstered handguns in daily American life." OpenCarry.org references anthropologist Charles Springwood, quoting "open carriers are trying to 'naturalize the presence of guns, which means that guns become ordinary, omnipresent, and expected. Over time, the gun becomes a symbol of ordinary personhood.'" Another group, Georgia Carry, states through its website that the "Citizens of Georgia and the United States have the right to own and carry the firearm of their choice for any reason other than to commit a crime."

Legislation, such as a recently enacted Idaho law that allows students to carry guns onto the state's college campuses despite opposition from college administrators, students, and professors, can be seen as part of the larger push for gun normalization. There is a push for campus carry, often of concealed

weapons, in several states. According to the National Conference of States Legislatures, campus carry legislation was introduced in approximately 19 state legislatures during 2013.

Proponents of open carry and expanded gun rights not only work to enact pro-gun and pro-open carry legislation but also to exercise existing open carry rights in everyday life. One tactic of the movement is to encourage proponents to exercise existing open carry rights by bringing legally openly carried guns en masse into spaces where they are generally not expected. The idea is to get the public used to seeing citizens who are not involved in law enforcement wearing weapons while performing normal, nonviolent activities. During a 2010 campaign in California, gun owners brought their weapons into Starbucks and other businesses, sometimes in large numbers, in order to test open carry laws. Starbucks did not enact a "no guns" policy in response to this particular campaign, but rival Peet's Coffee and Tea did enact such a measure. Starbucks later asked patrons not to bring guns into its stores. It is important to note that the leeway given to individual businesses and organizations to regulate whether or not weapons can even be banned is controlled by state legislation, varies greatly, and is often dependent on the specific type of entity in question.

## How Libraries are Affected

National business chains are not the only organizations targeted by the open carry movement. Libraries also find themselves the target of this particular brand of civic activism. In 2012, the Richmond, Virginia, public library was targeted in a read-in protest, where gun owners entered the space while openly carrying firearms, in response to a newly posted rule change on the library's website. Local news affiliate NBC 12 reported that open carry proponents felt that the rule was "confusing and discourages people from exercising their 2nd

Amendment rights to carry a firearm, even in a quiet place like the library,” and drew parallels between the restrictions placed on gun owners to that of a hypothetical law prohibiting library access to African Americans, invoking the historical specter of Jim Crow in the southern state.

On June 8, 2014, in Kalamazoo, Michigan, Mike Warren, a 31-year old father and small business owner, brought an FNS 9-millimeter handgun to the Kalamazoo Public Library’s Summer Reading Party, an event planned for children. He carried the weapon openly though he did possess a concealed weapons permit. Library officials invited him to leave the event even though local media later contended that Michigan law did not grant them the right to ban the gun. In 2012, Michigan’s Court of Appeals held that the Capital Area District Library’s ban on open carry weapons violated state gun regulations, which prohibit both district and public libraries from regulating gun practices. The Michigan Supreme Court refused to hear the case, leaving the ruling intact. Warren’s motivations for his actions, as reported on MLive.com, reveal the open carry mindset and the paradox of patrons who, while acting to ensure their own security, make others feel unsafe. He is quoted as saying, “I was there to protect my family. God forbid there was a

person who decided to shoot up the place, but I’d be the only one there who could do something about it.”

Open carry laws introduce additional uncertainty into the everyday life of the library. Georgia serves as a prime example. The Safe Carry Protection Act went into effect on July 1, 2014. The question of what exactly the implications are for libraries under this legislation has been a subject of contention. Referred to as the “guns everywhere bill” in the media, it is widely reported to allow firearms in municipal buildings, schools, public libraries, churches, unsecured airports, and bars.

Some of these newly granted rights are not as sweeping as might be first assumed. Georgia requires a permit or license to open carry, which makes its gun policies more restrictive than states such as North Carolina and Kentucky. Interestingly, Texas and South Carolina outright forbid open carry. As for guns in churches, pastors or church councils have the option of allowing guns in their churches but can also ban them. Bar owners have the option of posting a sign stating their businesses’ no guns policy. School districts have the possibility to allow some employees to carry firearms, but the controversial “campus carry” provision did not make it into the final bill. That said, conflicting language in the bill has created confusion on whether

weapons may, in fact, be carried on public college campuses. The state attorney general has stated that there is a general prohibition against carrying guns in a school safety zone, which includes technical schools, vocational schools, colleges, and universities, with an exception for people picking up students at the school who have guns secured in their vehicles. Guns are allowed in government buildings, except when that building has security personnel in place.

This has caused librarians to ask questions. As reported by NPR, Atlanta area public librarians understand that they fall into the unsecured government building provision and they will not be allowed to check to see if a patron has a gun permit. Hypothetical scenarios create uncertainty around the issue. For example, if a patron places a gun on a desk in a library populated by active children, can the librarian ask the patron to secure the weapon without violating the patron’s rights? For Atlanta librarians, this question did not have a clear answer. Similar questions are likely to occupy librarians and library administrators for the foreseeable future, and it is likely that answers may ultimately come from the courts. ■

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