

Municipalities that break the law should pay the price

By David C. Sager | Posted: Sunday, December 7, 2014 12:15 am

So far, the rhetoric about state House Bill 80 on these editorial pages has been filled with half-truths and distortions. Since PA4SP (Pennsylvanians For Self Protection), along with other Pennsylvania-based Second Amendment groups, has been working on this legislation for more than year, please allow me to explain another perspective.

To be clear, HB 80 will be expensive to municipalities, but only if they are breaking the law. This is as it should be. If a municipality breaks the law, it should pay the price.

The genesis of this law goes back to the founding of our country. Pennsylvania's protections regarding the right to bear arms predate and influenced the federal Constitution. Pennsylvania was the first state to address the right to bear arms in its constitution. By the time the Second Amendment to the United States Constitution was adopted in 1791, Pennsylvania had already twice reaffirmed the right to bear arms as a fundamental individual freedom.

The first Pennsylvania Constitution containing the protection was adopted in September 1776. Among its principal authors was Benjamin Franklin. In 1790, the language was made even stronger by adding "shall not be questioned." That language has carried through since that time.

Pennsylvania Constitution, Article I, § 21. Right to bear arms. "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned."

Unlawful regulation of firearms and ammunition by municipalities, and the threat of citation and prosecution posed by such regulation, interfere with this right. Commonwealth law currently limits regulation of firearms, ammunition and ammunition components by political subdivisions in order to protect the right. In recent years, local governments have been passing ordinances in defiance of Pennsylvania law. This legislation corrects the problem.

There was broad bipartisan support for HB 80. Many local representatives and senators voted in support of this legislation in addition to the legislators mentioned in the articles on editorial page, Sen. Chuck McIlhinney and Rep. Marguerite Quinn. We should be thanking all of them for upholding the oath of office they swore to keep:

"I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity."

Some letter writers attempt to undermine HB 80 by disparaging firearms owners as “gun nuts.” We are your neighbors. We are productive members of society. We quietly go about our peaceful lives. And we are armed. PA4SP believes that self-defense is not only a right but also a responsibility for law-abiding citizens, and the overwhelming majority of Pennsylvanians agree with us.

We protect ourselves by placing smoke detectors and fire extinguishers in our homes, installing security systems and wearing seat belts in the car. But when it comes to personal attack, many will rely on a call to 911 and delegate responsibility to their local police department. At a time when seconds count, and police response times can be up to 15-20 minutes, does this make sense to keep you and your loved ones safe?

Many of the illegal municipal firearms laws created gun-free zones. Recent history tells us that criminals and the criminally insane view gun-free zones as free-kill zones. Our worst tragedies involving firearms have occurred in “safe” gun-free zones. My preference is for criminals to think that everyone is armed everywhere. It may convince them to seek a new line of work.

For those who want to continue to divide society, keep talking about “gun nuts” and proposing knee-jerk and emotional responses to firearms tragedies. For those who want to unite society and solve problems, let’s find common ground and work on solutions. How about this for starters on common ground: PA4SP opposes violence, not just gun violence, but all violence, and PA4SP believes that violent criminals and the criminally insane should not possess firearms.