

House Standing Committee on Federal and State Affairs  
Testimony in support of HB 2055  
February 20, 2013  
Kevin Murray, Manhattan, KS

Mr. Chairman and Members of the Committee:

My name is Kevin Murray and I live in Manhattan, KS. I would like to thank the committee for allowing me to testify in support of HB 2055 and for the committee's work on this very important issue.

I am aware that several bills are before the committee this morning, with several being rolled into HB 2055. Upon review of the bills being rolled into HB 2055, it appears that several elements are quite similar, the underlying theme being open carry of firearms and the licensed concealed carry of handguns.

Most noticeably however, are the provisions contained within new section one (1) of HB 2055 concerning the legal and licensed concealed carry of handguns within public buildings that do not provide "adequate security measures." In addition, new section 1(c) provides for the assurance that state and/or municipal employees shall not be prohibited from licensed concealed carry in workplaces that do not have those "adequate security measures."

I commend the legislature on adding these provisions to our existing licensed concealed carry statutes. Introduction and passage of these measures are warranted on two fronts. First, in my opinion, this solidifies my belief that the Kansas legislature recognizes that one's self protection can be enhanced by the individual. In addition, the recognition of the right to keep and bear arms guaranteed by the 2<sup>nd</sup> Amendment which was recently upheld by the U.S. Supreme Court in *McDonald v. Chicago*. As affirmed by the U.S. Supreme Court in *Warren v. District of Columbia* and *DeShaney v. Winnebago County*; and the NY Appellate Supreme Court in *Riss v. New York*, the courts held that the police (State) have no duty to protect the individual. Yes, I am aware that a large number of law enforcement agencies across the state and nation incorporate the motto "To protect and serve" and I have the utmost confidence that they sincerely take that position and work towards that end. Regardless, this does not mitigate the duty and responsibility of the individual to be vigilant concerning their personal safety and to take measures he/she deems suitable to enhancing their personal safety or that of their family.

Secondly, the proposed bill calls for the provisions granting the privileges afforded the general public to be equally applicable to public servants. For those of us who choose a career in public service, it is only right that we be extended the same privileges concerning our personal safety which are rightfully afforded to the public we serve.

I do realize that passage of this bill will allow me, both as a private citizen and a public servant, to potentially have more contact with individuals who choose to partake in the concealed carry of a weapon. Personally, I have no problem with that, as I have contact with those individuals in a variety of public settings now, whether that's at the shopping mall, restaurants, the movie theater, the dog park, or any other public or private place not currently prohibited by existing law. This past November, the *Wichita Eagle Beacon* reviewed data from the Kansas Attorney General's Office and discovered that of the 51,078 permits issued since passage in 2007, 44 concealed carry permit holders had been charged with a crime using a firearm. Of those 44, only 17 holders had their licenses revoked due to being convicted of a disqualifying crime; 10 had their licenses reinstated and at the time the article was written, the remaining 17 individual's permits were suspended pending resolution of the charges. In my opinion, concealed carry permit holders, by in large, are not a concern for my safety simply due to the fact they are choosing to carry a concealed weapon. I think the attorney general's statistics support that claim.

Lastly, in a housekeeping matter if I may, I'd like to respectfully request that page 6 of HB 2055 beginning with line 11 be reviewed, as it appears that it is contradictory, in that it does not take into consideration new section one (1) of the bill.

I thank you for your time and your service to the citizens of Kansas, I now stand for questions.

[Stephen.bainum@house.ks.gov](mailto:Stephen.bainum@house.ks.gov) 185N