

## Action Step Fact Sheet 2005 Children's Agenda



### Child Safety and Protection:

Ensure the safety of children by banning concealed firearms in all schools and safe school zones in NH.

#### **What is the specific concern or issue affecting NH's children?**

The risks associated with possessing any type of weapon in a school today are recognized nationwide. Laws and policies prohibiting weapons in schools are supported by parents, educators and students alike. New Hampshire, however, fails to completely connect the dots to eliminate risk when it comes to firearms. NH is one of only four states nationwide that allows anyone with a concealed carry permit, including students, to have a loaded handgun on school property.

Federal law (USC Title 18, Chapter 44, Sec. 921) establishes a 1,000-foot radius around U.S. schools and generally prohibits firearms of any kind within that circle of safety. Most parents and educators believe this federal law protects our children at school, and anyone carrying a firearm at a school is in violation of the law. Yet an exemption exists within the federal law that allows the concealed carry of a firearm into a school zone in the states that issue permits to carry concealed firearms, which is the case in NH. Unless the state expressly prohibits them from possessing their guns in schools, it is *not* a violation of the federal law for permit-holders to bring their firearms into a school. In fact, under NH RSA 159:19, court buildings are the only location specified in New Hampshire as truly gun-free zones.

The last attempt to address this issue through state legislation was made in the 2001 session; this effort failed in the Legislature. Since then, the state has enacted a law prohibiting localities from creating any ordinances or regulations pertaining to firearms. Translation: our local school boards, city councils and boards of selectmen have lost the ability to protect children from firearms in local schools through lawmaking or rulemaking means. We call upon our state lawmakers to implement this most basic and commonsense child protection law statewide.

#### **What is the Action Step strategy to address the issue?**

The New Hampshire Chapter of the Million Mom March has worked to introduce legislation banning concealed firearms in Safe School Zones in the 2005 legislative session.

The chapter will conduct at least two issue trainings for NH MMM members and other supporters of this legislation early in the session, which will be posted to the NH CAN network. Additionally, the chapter will execute a statewide media campaign intended to inform parents, educators and the general public of the gap in state law and the legislative means to address it.

#### **How does this meet NH CAN's prioritizing criteria?**

##### ◆ How many children are affected?

The effect on the children of New Hampshire is widespread. This issue affects all schoolchildren in the state, and the consequences of inaction could be deadly.

◆ **What is the severity of the impact of this issue and the strategy?**

It is imperative that New Hampshire close this loophole *before* it becomes a problem, not after. Public demand for action by lawmakers will determine whether this passes or fails. Right now, many NH parents, educators - and even some in law enforcement - do not realize that there are loopholes in our laws that allow firearms in schools. We feel that it is critical to alert the public and the Legislature on this needless risk before we suffer a tragedy in one of our NH schools. We have already had instances of students and adults with concealed guns in our schools, fortunately none of which have resulted in injury or death.

◆ **What is NH CAN's ability to create or influence change?**

NH CAN and its partners have the credibility and the means of communication to spotlight this issue to the public and to lobby legislators.

**What groups, organizations and individuals are/will be involved?**

Law enforcement support is crucial to the passage of any gun-related legislation, and the NH MMM has engaged the support of the NH Association of Chiefs of Police in this initiative. Working with the Chiefs, the NH MMM is pursuing support from other law enforcement entities, such as school resource officers, county attorneys, sheriffs, NH Police Association, State Police and others.

Rep. Michael O'Neil has agreed to sponsor the bill (LSR 0645-2005-R). Sen. Carl Johnson and Reps. George Winchell, James Pilliod and William Knowles will co-sponsor (as of 12/21). We expect to add more co-sponsors shortly. Additionally, we have begun discussion with Governor-elect John Lynch to educate him on this gap in state law.

We are also working with a number of child welfare, public health and education advocacy organizations, whose voices are equally critical to the success of this legislation. Groups range from the NH NEA to NH SAFE Kids, NH Public Health Association, NH Teen Institute and the NH School Administrators Association. We also plan to reach out to youth groups such as Dover Youth to Youth, and other school and faith groups.

