

March 31, 2008

Businesses may not usurp constitutional rights

Marion P. Hammer
My View

In attacking the common-sense legislative proposals contained in SB 1130 and HB 503 ("Guns at work" affects more than one right," My View, March 28), George A. Allen completely misses the mark.

The right to keep and bear arms is clearly protected by both the U.S. Constitution and the Florida Constitution. "Bear" means transport and "keep" means you can take it with you. Further, the Florida Constitution specifically makes it clear that the right to keep and bear arms for self-defense is pre-eminent.

Neither Constitution says "except in a parking lot or on a piece of asphalt." And lest we forget, the Constitution begins, "We the People," not "We the Corporation."

Businesses have no right to usurp the constitutional and statutory rights of workers, shoppers or invitees simply because of a political position against the lawful ownership of firearms. And, make no mistake, it is a political position that has nothing to do with your safety.

The right to have a firearm in your private vehicle, just like your right to have a firearm in your home, is protected by the Constitution and state law — and the state has a duty to uphold and protect these rights from those who violate them.

The right to protect yourself and your family must be maintained no matter where you park your car.

What Allen is saying is that, if you are attacked by a rapist or your husband is assaulted in an unsecured parking lot owned by big business, your ability to defend your life or the lives of your loved ones is not important to big business.

He is saying that businesses believe their ability to control your private property rights — what you have locked inside your personal private vehicle in a public access parking lot — is superseded by their desire for power and control over the lives of their employees and customers. That is wrong.

SB 1130 and HB 503 are reasonable bills that preserve self-defense rights and the integrity of Florida's Right-to-Carry laws while respecting private property rights.

These bills reaffirm the existing right of law-abiding citizens to possess firearms in their locked motor vehicles in business parking lots. The legislation justly provides employers with immunity from civil liability, making it clear that employers cannot be held liable for armed criminal acts — immunity they do not now have. Under these bills, employees could not have a firearm outside their vehicles, in the workplace, or in vehicles leased or owned by the employer.

Hard-working men and women are not immune from criminals in their employers' parking lots. Nor are they impervious to carjackers, robbers or rapists during their commute or as they run errands before or after work.

Those working the graveyard shift or commuting after working overtime deserve a means of self-defense if they want it. And hunters, target shooters and other lawful gun owners should be able to pull into

parking lots at convenience stores, motels, fast food restaurants or even gas stations without facing harassment and prosecution.

Let's face it, corporations are truly concerned about one issue — money. They cloak this with phrases like "employee safety." However, statistics from the U.S. Department of Labor and the U.S. Department of Justice show that between 75 percent and 82 percent of workplace homicides occur in connection with a robbery, and outsiders commit 84 percent of workplace homicides.

Expecting armed robbers and other "uninvited guests" to obey a "gun free zone" is idiocy. Criminals don't obey the law — that's what makes them criminals.

Let's be clear. NRA believes in private property rights, but corporate property interests don't override the constitutional rights of law-abiding citizens. Owning property doesn't make one an emperor.

After all, civil rights laws, zoning laws, safety inspections and fire codes all supersede property rights. Workers should not have to choose between protecting themselves and following a thoughtless workplace policy.

An employer's bottom line does not trump a law-abiding person's fundamental, constitutional right to self protection, even at the person's place of employment.

Allen says these policies contribute to workers' "feeling safe." But feeling safe isn't the same as being safe. Many workers know they actually are safer when they can exercise the basic right to protect themselves on the way to and from work, without fear of being fired due to a "feel safe" corporate policy.

SB 1130 and HB 503 put people first, and that's what our Founding Fathers intended when they wrote, "the right of the people." And those bills deserve to pass.

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