

Q&A: Gun Laws and Church Security

How churches can know the laws in place and make a plan to protect their congregations.



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Attorney and CPA

In May 2016, members of the Church Law & Tax Team sat down with Editorial Advisor Frank Sommerville for a conversation on church security, gun laws, and how churches might best respond to violent incidents. (Frank had previously [recorded a video](#) for CLT on how concealed carry laws affect churches.) With such incidents [on the rise](#), and considering the one-year anniversary of the shootings at Emanuel AME Church in Charleston, South Carolina, Frank provides insight into the legislation at work and the strategies that church leaders might follow.

How do states address concealed carry in churches?

Two states prohibit concealed carrying of a gun in church. Eight other states allow concealed carry of a gun with permission from the church. Twenty-three states allow churches to ban concealed carry if they do so. Every other state is little different from the remaining states. In Louisiana, if you carry in a church, you have to have eight hours more training on top of your concealed carry training.

One survey in Texas claimed that about 20 percent of the evangelical church congregation was probably carrying a gun on any Sunday.

Does a concealed carry law restrict certain kinds of firearms? When you say “concealed carry,” does that mean it’s a pistol?

When we talk about concealed carry, we are talking about a pistol, which by definition is a gun with less than a 16-inch barrel. The most popular, fastest-growing area of gun sales is the super-small, lighter-weight pistols because they are more capable of being concealed. The smaller the pistol, the easier it will be to conceal.

Open carry is a shotgun or rifle. You may do that in 41 states, though some states have

restrictions on open carry. In Texas, you could walk into the church with a rifle or a shotgun unless the church has posted a sign prohibiting it. The odds of someone open carrying a gun into the church without an ill motive is very remote. I have yet to hear of a complaint concerning a law-abiding citizen carrying a rifle or shotgun into a church because it does not happen.

Are a growing number of women carrying?

Yes. We even had a class at our church for concealed carry for women. Some new reports state that the number of women applying for concealed carry permits has doubled over the last five years.

In the aftermath of the [Charleston shooting](#), were your church clients in contact with you regarding security measures? Do events like these bring out that response?

Churches do not contact me about security concerns because I am not a security consultant. I hope they are contacting their security providers: their alarm system people, their security company, or their local police departments. The church must have a written plan in place, and they need to update that plan to deal with whatever might happen, including [an active-shooter situation](#).

Was the new Mississippi law that allows for carrying in houses of worship prompted by the Charleston shooting?

Yes, the Church Protection Act was passed in Mississippi, in part, as a response to the Charleston shooting.

Is South Carolina a concealed carry state?

Yes. All states now authorize concealed carry. South Carolina allows concealed carry in a church with permission from the church.

According to South Carolina’s laws, a permit issued does not authorize a permit

holder to carry a concealed weapon into a church unless express permission is given by the appropriate church official or governing body. How would a permit holder go about requesting that permission and providing proof of it?

It depends on the governance structure of the church. You start by making a request to the pastor, though sometimes the church's governing body is required to approve the concealed carry. If I were in one of those states, I would ask the church to provide something in writing, signed by the pastor, that says I can carry in the church.

The church has authority over its facilities, and it can decide whether it wants to allow concealed carrying of a gun. The church can post a sign saying "no guns allowed," or it can give permission to some people. But even without the sign, you can't carry into a church in South Carolina without the church's permission.

Does having these restrictions in place prevent incidents from occurring?

It's curious: you see different surveys, usually reflecting a political bias. The mass shootings occur in gun-free zones. Twenty-one out of 22 of the incidents in the last 10 years, and 94 percent over the last 100 years, have occurred in gun-free zones. Apparently the criminals are rational enough to know where people are incapable of fighting back.

State statutes create gun-free zones. Some observe that it turns these places into more attractive targets for those wanting to inflict evil. Schools are often gun-free zones; government offices are gun-free zones; prisons are gun-free zones; police stations (except for the police officers) are gun-free zones; courthouses are gun-free zones. Each state has a list of places where a gun cannot be carried. In some states, amusement parks, hospitals, and bars are gun-free zones.

But that is one of those phenomena in the study of criminology—why are the percentages so heavily weighted toward these places? Is it because they are gun-free zones, or is it because they're gatherings of people that shooters want to harm? Who knows? No one's figured out the criminal mind yet.

But you rarely find mass shootings where concealed carry permit holders are present with a gun. It happens infrequently.

What are the typical demographics for concealed carry holders?

Concealed carry permit holders are mostly white and male. About 60 percent of the permit holders are white and male, while they only represent about 30 percent of the adult population. Comparatively, few blacks or Hispanics are concealed carry holders.

Is concealed carry primarily for personal protection?

Concealed carry of guns is for personal protection of the permit holder and their family. Some states allow the concealed carry permit holder to intervene if someone is in immediate danger of serious bodily harm.

If an active shooter is trying to get away, let him get away, because eventually the police will catch him. That's not worth you putting your life in danger to stop him. He's not threatening you. If he's not threatening you or another person with immediate, serious, bodily harm, you don't have a right to shoot that person.

The legal definition is the use of the gun must be for self-defense. The situation should be that the bad guy is threatening imminent harm with the ability to fulfill that threat. So with an active shooter, the concealed carry holder may stop the threat.

Guns can be dangerous if misused. In an active-shooter situation, the concealed carry holder is dealing with very dangerous people.

Unless the concealed permit holder has had additional training besides their concealed carry training, they are not likely equipped to handle an active shooter well.

If your congregation comprised enough concealed carry permit holders, could that be a potential substitute for a church security team or plan?

I would hope not—I would not endorse that attitude. A concealed carry permit holder is not a substitute for a security plan and trained security people, because the whole goal of a security plan is “keep the risk in the parking lot, keep the danger outside of your building, keep it away from your people.” You never want to get into a situation where the active shooter is inside your church building and sanctuaries or classrooms or whatever; you want to keep the threat isolated. That happened at New Life Church in Colorado: they slowed the shooter down and kept him isolated with a concealed carry permit holder who also happened to be a police officer.

It’s relatively rare to have an active shooter at a church. Carl Chinn, who was the director of security at New Life Church, keeps a perpetual log on his website. Since 1999 through the end

of 2015, there were only 1,198 violent incidents at churches. They’re accelerating—there are more of them now than in the early 2000s.

But out of 350,000 to 400,000 churches, it’s more likely you will have a fire at your church than that you will have an active shooter.

The number-one active-shooter situation at a church arises out of a domestic violence dispute. It is not just a random act of violence. The dispute boiled over, and the people are at the church. The church was not the target.

But the second-most common active-shooter incident arises out of a holdup or burglary. The church can reduce its chances of becoming a victim by trying not to make itself an easy target. The church does not want to make it easy for bad guys to rob the church or its church members.

Church Law & Tax has various resources available to help churches develop effective practices for safety and security, including: [Protect Your Church from Crime & Violence](#), [Preventing a Violent Incident at Your Church](#), and [Confronting Gun Violence at Church](#).

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Resources

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