



## **Statement of Principle – Guns in Libraries**

*Adopted by the MLA Board of Directors on September 10, 2021*

Libraries have an interest in serving all members of the community, but also in keeping those community members safe as they take advantage of the resources and programming offered. Libraries, as places of public accommodation, are frequented by large numbers of people, and highly vulnerable to the potential ills that a purposeful or accidental firearms incident would create. Every day, more than one hundred Americans are killed with guns, and hundreds more are wounded. The effects of gun violence are far-reaching and impact many of the individuals we serve in the library. MLA acknowledges that those individuals who have suffered trauma due to gun violence may not feel safe and welcome in the library if another patron is openly carrying a firearm.

Currently under Michigan law, public libraries created as districts, or by cities, townships, villages and counties, are unable to institute a ban on firearm possession on library premises - inclusive of both open carry and concealed carry of weapons.

In contrast, school libraries fall under a different set of laws that allow school districts to ban firearm possession on school property. Like schools, public libraries are places where thousands of children and teens come every day for homework help, research and entertainment. The mental anguish to children who are intimidated and fearful of open carry shouldn't be taken lightly.

While public libraries are precluded from an outright ban on firearms, they are allowed to enact certain policies that are permitted under 1990 PA 319. These include:

- prohibiting employees from carrying firearms at work,
- prohibiting criminal conduct involving firearms,
- requiring supervision of individuals with firearms below the age of 16, and
- prohibiting those individuals with firearms from brandishing them in a threatening manner with the intent to induce fear.

Out of 50 states, a significant number have banned all firearms in libraries. MLA acknowledges that firearm regulation is a hotly debated and polarizing issue. We know that there are many respectful gun carriers who have been trained, hold a lawful license, and/or exhibit common

sense. Yet our public libraries have grave concerns over open carry from those with ill intent, and/or those that use public accommodations as a place to display and boast their Second Amendment Rights.

An example of egregious open carry behavior happened in December 2010 at the downtown Lansing branch of the Capital Area District Library. “A man carrying what appeared to be a rifle or shotgun over his shoulder walked around the 1<sup>st</sup> and 2<sup>nd</sup> floors before police arrived in response to a terrified patron’s call.”<sup>1</sup> A lawsuit was filed to uphold the policy of the district library, but in the end, CADL’s weapons policy that prohibited firearms in the library was struck down.

Regardless of their decision, the Court expressed concern for carrying guns in public libraries when they wrote:

“Our job is not to weigh in on who has the better moral argument regarding when and where it is appropriate to carry guns. Instead, we are obligated to interpret and apply the law, regardless of whether we personally like the outcome...Certainly, at a time where this country has witnessed tragic and horrific mass shootings in places of public gathering, the presence of weapons in a library where people of all ages –particularly our youth – gather is alarming and issue of great concern.”<sup>2</sup>

With that in mind, MLA has opened discussion amongst our library members to gain input into the tenor of reforming state law. In early 2021, MLA surveyed our membership and found that 78% support, and indicate as a high priority, that MLA advocate to reform state law prohibiting the open carry of firearms on library premises.

MLA will work proactively to support any new legislation that prohibits the open carry of firearms at public libraries.

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<sup>1</sup> Diana Gleason. “2015 Update: Can I Bring My Gun? A Fifty State Survey of Firearm Laws Impacting Policies Prohibiting Handguns in Public Libraries,” University of Idaho College of Law Library, Moscow, ID. Page 1.

<sup>2</sup> Ibid. Page 2.