



GUNS IN PUBLIC PLACES

WHY IT MATTERS

Historically, most states either prohibited or severely limited the carrying of firearms in public. Over the past three decades, however, state laws have changed dramatically. In that time, many states have weakened their laws to permit more people to carry guns in public places with fewer restrictions. There are several approaches to addressing this issue, including tightening concealed carry permitting systems, restricting open carry, and limiting firearms in places like schools and bars, where they are especially likely to harm the public.

THE FACTS

Concealed Carry (CCW): Weak permitting systems allow dangerous people to carry guns. A *Los Angeles Times* analysis of Texas CCW holders, for example, found that between 1995 and 2000, more than 400 criminals—including rapists and armed robbers—had been issued CCW licenses under the state’s permitting law. Studies by the *South Florida Sun-Sentinel* and the *Indianapolis Star* revealed similar problems with Florida’s and Indiana’s permitting systems. And, according to a report by Mayors Against Illegal Guns, states with weak concealed carry laws export crime guns to other states at more than twice the rate of states with strong concealed carry laws.

Open Carry: Open carry advocates seek to normalize the carrying of firearms in public places. While these advocates argue that they are simply “exercising their rights,” the open carrying of firearms intimidates the public, wastes law enforcement resources, and creates opportunities for injury and death due to the accidental or intentional use of firearms.

Guns in Schools: The tragedies that took place at Sandy Hook Elementary School, Columbine High School, and Virginia Tech demonstrate the devastating effect guns have on schools and their surrounding communities. Calls to arm teachers and staff members at K-12 schools and to allow college students to possess guns on campus will only lead to more gun deaths and injuries, not fewer.

Other Location Restrictions: In recent years, the gun lobby has mounted a nationwide campaign to explicitly allow the carrying of firearms in places where large numbers of people are likely to congregate. Members of the public who carry guns risk escalating everyday disagreements into public shootouts, especially in places where disputes frequently occur, such as in bars, at sporting events, or in traffic.

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THE DETAILS

Concealed Carry: All but six statesⁱ require that individuals receive a license or permit before carrying a concealed firearm in public. The remaining states are either “shall issue,” meaning authorities are required to issue a license to any individual who meets minimum requirements, or “may issue,” meaning authorities may take into account other factors, such as a history of violence. Nine statesⁱⁱ are “may issue” states and the remaining 41 are “shall issue” states.

Open Carry: Most states allow firearms to be carried openly in public without a permit. While some states have enacted laws prohibiting the open carrying of firearms in numerous areas, others allow firearms to be carried openly almost anywhere.

Guns in Schools: Most states prohibit people who have been granted a permit to carry a concealed weapon from carrying on the grounds of K-12 schools. Some states make exceptions for unloaded weapons in vehicles in parking areas or for employees with special permission. Only eight states do not have a general prohibition against carrying a concealed weapon on K-12 school property.ⁱⁱⁱ Most states also prohibit firearms on college and university campuses or allow the school to decide whether to allow firearms. However, 10 states^{iv} restrict some or all of a school’s ability to prohibit firearms on campus.

Location Restrictions: Almost every state imposes at least some restrictions on the public areas where guns may be carried. The majority of states prohibit concealed weapons in prisons, jails, courthouses, and other government buildings. A smaller number prohibit concealed weapons in a wide range of other locations, including places of worship, bars and restaurants, polling places, public sporting events, hospitals, and mental health facilities.



FOOTNOTES

ⁱ Alaska, Arizona, Kansas, Mississippi (concealed guns allowed without a permit only in purses, bags, or cases), Vermont, and Wyoming.

ⁱⁱ California, Connecticut, Delaware, Hawaii, Maryland, Massachusetts, New Jersey, New York, and Rhode Island—plus the District of Columbia.

ⁱⁱⁱ Alabama, Arizona, California, Hawaii, New Hampshire, Oregon, Rhode Island, and Utah. In addition, Michigan prohibits concealed carry but allows individuals to carry handguns openly at K-12 schools.

^{iv} Colorado, Idaho, Michigan, Mississippi, Oklahoma, Oregon, Texas, Utah, Virginia, and Wisconsin.

ABOUT THE LAW CENTER TO PREVENT GUN VIOLENCE

Founded in the wake of the July 1, 1993, assault weapon massacre at 101 California Street in San Francisco that left eight dead and six wounded, the Law Center to Prevent Gun Violence is now the premier resource for legal expertise and information regarding state and federal firearms laws. We track and analyze gun laws in all 50 states, file amicus briefs in Second Amendment cases across the country, and work with lawmakers and advocates to craft and promote legislation that will reduce gun violence and save lives. We regularly partner with law firms and nonprofit organizations dedicated to combating the epidemic of gun violence in our country, and we invite you to learn more about our work by visiting our website or connecting with us on social media.