

GrassRoots GunRights

P.O. Box 2446 Lexington, SC 29071 <http://www.SCFirearms.org>

February 6, 2008

The Honorable Larry Martin
South Carolina Senate
P.O. Box 142
Columbia, SC 29202

RE: The Defenseless Victim Act of 2008

Dear Senator Martin:

Research proves that virtually all multiple victim shootings occur in what are mislabeled as "gun-free zones." So-called "gun-free zones," whether implemented privately with door signs or by government with laws and rules, are reckless, negligent and known to be dangerous. These so-called "gun-free zones" attract both the criminal element and those who want the notoriety that comes from creating a large body count.

Those who create these dangerous, attractive nuisance "gun-free zones" are not currently held responsible for the harm they facilitate. That is wrong. Just as swimming pool owners are held liable for creating an attractive nuisance that harms a trespasser, those responsible for creating so-called "gun-free zones" that are an attractive nuisance to those who seek to kill unarmed innocent victims should be held liable for creating such attractive nuisance "gun-free zones."

GrassRoots GunRights asks you to please sponsor The Defenseless Victim Act of 2008 (attached on separate sheet). This bill essentially says that, in public places, if you create a dangerous "gun-free zone," then you are liable for any harm it causes. There is no cost or budget item associated with enacting this bill.

The anti-self-defense lobby tells people to rely upon the police for their safety, but they always omit the inconvenient facts that:

1. - The Supreme Court has ruled police have *no legal duty to protect* you;
2. - Police usually respond only *after* a crime to pick up the pieces and draw the chalk outlines; and
3. - When *seconds* count, the police are always at least *minutes* away.

Private property rights are unaffected by this bill. "Gun-free zones" are allowed, entirely at a property owner's free discretion just as they are now, and property rights remain 100% intact. There is no coercion (and also no government spending) in this bill at all. Only people who would ban our rights and ignore our plight are affected in any way, and then only if an

innocent victim is attacked and harmed in a so-called “gun-free zone.” No blood, no foul. This bill is a truly balanced and even-handed bill.

This is good law, supportive of our fundamental rights, a deterrent to criminals who would perpetrate attacks, a winner in the publicity battle over gun rights, and it places responsibility squarely on those who would cause harm by their direct actions. Will you sponsor this bill on behalf of future disarmed victims?

Sincerely,

A handwritten signature in black ink that reads "R D Butler". The letters are bold and slightly slanted, with a cursive flourish at the end of the word "Butler".

Robert D. Butler, J.D.
Vice President

GrassRoots GunRights respectfully requests the following language be introduced as "The Defenseless Victim Act of 2008":

"Section 16-5-200 Liability for creating Gun-Free Zone.

A. Notwithstanding any other law, any person, organization or entity, or any agency of government that creates a gun-free zone shall be liable for damages resulting from criminal conduct that occurs against an individual in such gun-free zone, if a reasonable person would believe that possession of a firearm by a person in the gun-free zone could have helped the individual defend against such conduct. In the event the conduct is a result of a terrorist attack as federally defined, or adversely affects a disabled person, a person who is a member of a minority as federally defined, a senior citizen, or a child under 16 years of age, treble damages shall apply.

B. For the purposes of this section, the term "gun-free zone" shall mean any building, place, area or curtilage that is open to the public, or in or upon any public conveyance, where a person's right or ability to keep arms or to bear arms is infringed, restricted or diminished in any way by statute, policy, rule, regulation, ordinance, utterance or posted signs."