

KANSAS LEGISLATURE

STATE CAPITOL
300 S.W. TENTH AVENUE
TOPEKA, KS 66612



HOUSE OF REPRESENTATIVES
AND SENATE CHAMBER

October 1, 2019

President Donald J. Trump
Office of the President of the United States
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

We, legislators of the great state of Kansas, write you to lament the murder of innocents in mass shootings perpetrated by deranged individuals. These evil acts are inexplicable and must be stopped.

While discussing and fashioning measures to prevent these evil acts, we must also recognize and respect the inherent rights of the citizens of this Republic. We must not emotionally resort to rash policies destructive of constitutional rights. The People of Kansas, and the people of many other states in the Republic, strongly support constitutional rights, including the individual right to keep and bear arms, as recognized and protected by the Second Amendment to the United States Constitution. We are extremely proud that Kansas law upholds the original intent of our Founding Fathers. We Kansans empower our citizens and those who visit our great state to exercise their Second Amendment rights with little restriction.

As Kansas laws changed, leftists prophesied that violence would dramatically increase. Some even claimed Kansas would soon resemble the Wild West. Those prophecies were never realized. Our experience has been quite the contrary. Violent crime rates are declining in Kansas, just as they are nationwide, and have been in decline for the last two decades. Even so, the perception in the United States is that violent crime is escalating exponentially. We are convinced that this misconception is due at least in part to the mainstream media sensationalizing evil acts and ignoring completely the courageous acts of competent, law abiding American gun owners who daily stop or prevent violent crimes.

Statistically, the majority of crimes involving mass shooters occur in gun free zones. It is no surprise that those who wish to inflict evil upon others choose these locations. People in gun free zones are totally defenseless against a shooter who, due to the gun free zone, has ample time to maim or kill many before law enforcement officers arrive. Gun free zones are nothing more than safe havens for criminals. Mr. President, you have acknowledged this fact publicly in your speeches. We believe Congress should address gun free zones and, in so doing, empower competent, law abiding citizens to protect themselves and others.

Unfortunately, rather than address gun free zones, some would rather implement “Red Flag” laws. We oppose Red Flag laws for the following reasons. First, we believe they violate or could be used to violate the Second, Fourth, Fifth, Sixth, Ninth, Tenth, and Fourteenth amendments to the United States Constitution. At the very least, Red Flag laws erode our fundamental American right to keep and bear arms and our right to due process of law. Second, we believe Red Flag laws could be abused and used to wrongfully target competent, law abiding citizens. Third, we believe that those subject to emergency protection orders under Red Flag laws are basically guilty until proven innocent, thereby destroying due process. Fourth, we believe Red Flag laws will endanger the lives and property of innocent people. Consider the loss to life and police brutality that could accompany every confrontation between competent, law abiding citizens and law enforcement officers enforcing Red Flag laws. Such things have occurred in states that have Red Flag laws.

We also respectfully note, Mr. President, that, for too long, the American people have turned to the Federal Government to fix their problems. This was never the intent of our Founding Fathers. Regardless, many (if not most) problems cannot and never will be fixed by government. Moreover, as President Ronald Reagan said in his 1981 inaugural speech, “All of us need to be reminded that the Federal Government did not create the States; the States created the Federal Government.” The enumerated powers under Article 1, Section 8, of the United States Constitution prescribe the subject areas over which the Federal Government has power. We ask that you help us preserve the powers left to the states under our Constitution and allow the states to exercise those powers for themselves. We are elected officials who speak to citizens at their doorsteps. If our citizens want Red Flag laws, then they will elect legislators who will enact their will.

Finally, Mr. President, we note that the Second Amendment declares that “the right of the people to keep and bear Arms, *shall not be infringed.*” We believe the American Founding Fathers intended through the Second Amendment to recognize and protect an individual citizen’s right to keep and bear arms and to empower competent, law abiding citizens to defend and protect themselves, their families, and their fellow man. We ask you, Mr. President, to preserve, protect and defend the Constitution of the United States by supporting our right to keep and bear arms, our right to due process of law, and all other rights deeply rooted in the history and traditions of the American people.

With deepest respect,

The following Kansas House Members:



Michael Houser, District 1



Ken Collins, District 2



Trevor Jacobs, District 4



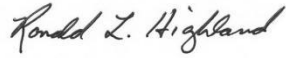
Doug Blex, District 12



Sean Tarwater, District 27



Rep. Bill Sutton, District 43



Ron Highland, District 51



Ken Corbet, District 54



Francis Averkamp, District 61



Randy Garber, District 62



J.R. Claeys, District 69



John Barker, District 70



Les Mason, District 73



Stephen Owens, District 74



Will Carpenter, District 75



Eric Smith, District 76



Ron Ryckman, District 78



Cheryl Helmer, District 79



Bill Rhiley, District 80



Blake Carpenter, District 81



Jesse Burris, District 82



Michael Capps, District 85



Renee Erickson, District 87



Leo Delperdang, District 94



Nick Hoheisel, District 97



Susan Humphries, District 99



Daniel Hawkins, District 100



Joe Seiwert, District 101



Ken Rahjes, District 110



Alicia Straub, District 113



Kyle Hoffman, District 116

The following Kansas Senators:



Mary Pilcher-Cook, District 10



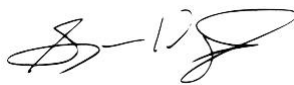
Richard Hilderbrand, District 13



Dan Goddard, District 15



Eric Rucker, District 20



Susan Wagle, District 30



Richard Wilborn, District 35