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Nothing for Newtown: Why little has changed in Alabama since the shootings

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MONTGOMERY — Banyon Allison still feels undefended.

In the days after the December school shootings in Newtown, Conn., Allison, the assistant principal at Alexandria High School, had an idea. If local governments can't afford to put a cop in every school, perhaps one teacher in every school should be trained to act as an armed guard.

Allison first mentioned his idea to The Anniston Star in December, days before the National Rifle Association announced a similar plan. Four months later, the armed-teacher idea is the talk of every red state, with multiple bills on the topic consuming hours of debate in the Alabama Legislature.

But from where Allison stands, nothing has changed. There are no new armed guards, no new cameras or panic buttons. No major legislation passed in Montgomery or Washington.

"If a shooter comes in, what are we supposed to do?" Allison said.

Rudderless

When a gunman shot 20 children and six adults at an elementary school in Newtown Conn., in December, something seemed to shift in America's long stalemate over gun policy. Mass shootings had happened before, but the deaths of 6- and 7-year-olds shocked the conscience of a public accustomed to headlines about gun violence.

President Barack Obama promised to bring new gun regulations to a vote. Gun enthusiasts cleared the shelves of gun retailers, buying as many guns and as much ammunition as they could afford in advance of an anticipated crackdown.

The crackdown never came. A proposal to ban new sales of assault weapons — semi-automatic rifles, modeled on military weapons, with large-capacity magazines — failed in Congress. So did an effort to restrict the size of ammunition magazines. And finally, the Senate failed to pass a measure to extend already-existing background checks of gun buyers to include those who purchase at gun shows and on the Internet.

In Alabama, the response to Newtown was more like a rudderless speedboat. Lawmakers proposed a flurry of new bills, most of them predicated on the idea that more guns, not fewer, will make people safer. In January, Republican leaders in the House unveiled a state constitutional amendment that would underscore the gun rights in the Second Amendment, and block efforts to restrict them. Sen. Roger Bedford, D-Russellville, introduced a bill that would allow people to keep

guns in their cars at work.

And both parties proposed arming school employees. Rep. Kerry Rich, R-Albertville, wanted a law that would allow teachers statewide to be deputized and allowed to carry weapons in schools. Rep. Johnny Mack Morrow, D-Red Bay, proposed a similar measure for Franklin County alone.

Law enforcement officials opposed both measures, and Gov. Robert Bentley sided with them. When Bentley vetoed Morrow's bill, and the Legislature failed to overturn the veto, Morrow held up local bills in the Legislature for weeks.

With fewer than 10 days left in the 30-day legislative session, Morrow's bill is the only school-safety measure that has passed both houses.

There's evidence of an effort to regroup. Last week, Republicans unveiled a new batch of school-safety bills, including a proposed \$50 million bond to pay for school security equipment and another that would allow schools to arm some employees after rigorous law enforcement training. With the session nearly over, it's not clear whether any of those bills can make it through this year.

Local solution

Calhoun County's own effort to add security in schools was stillborn. Local officials in Calhoun and Talladega counties sought a referendum that would raise property taxes to pay for the area's 800-megahertz police radio system, add security equipment in schools, and pay for a full-time armed police officer in every school. Calhoun County Schools currently has one officer assigned to each elementary-and-high-school pair.

Allison, the Alexandria High administrator, said that even he prefers the cops-in-schools approach to any effort to arm teachers — even if it raises taxes.

"My first opinion has always been that it would be best to have armed, trained security in the school," he said.

That bill was rejected by Sen. Del Marsh, R-Anniston, while still in draft form. Marsh said he didn't support any tax increase, and said the two counties should find a way to pay for their priorities within their current revenues, the way state agencies have.

Marsh is Calhoun County's representative in the Senate, and without his support the bill has virtually no chance of being introduced.

"Sen. Marsh has made it clear that this needs to be taken care of locally, and we're taking that to heart," said Calhoun County school security director Mike Fincher, an advocate of the property tax bill. He said county leaders are looking for ways to pay for the 800 MHz radios within county funds. But adding cameras and guards to schools isn't something they think they can pay for.

Who we are

Alabama's failure to pass even local school-security or gun legislation may look like the sign of political dysfunction, but political scientist Jess Brown says the politicians are accurately reflecting the philosophy of their constituents.

"I think the public passion in Alabama is for a vision of gun rights that's even broader than what the Supreme Court has recognized," he said.

As a deep-red state full of hunters, Brown said, Alabama was never a good candidate for efforts to increase gun regulation. On the other hand, Brown said, Alabamians are shocked at reports of school shootings and do value school safety. At this point, Brown conjectures, they would even be willing to pay a little more for school security equipment, despite a general anti-tax attitude.

But there's no guarantee they'll feel that way next year. And next year's an election year.

"Legislators running in primaries next year are probably more tax-averse than they really need to be," he said. "But voters do not like the 'tax' word."

While some see the potential of a school shooting as a ticking time bomb, Brown said the slow pace of gun and school-safety bills may not be a bad thing.

"In fact if there's anything I'm not going to criticize this Legislature for, it's for taking too much time to plan," said Brown.

Brown has been openly critical of the Alabama Accountability Act, a hastily-passed school tax-credit bill with a price tag state officials are still struggling to properly estimate.

"When this Legislature has erred, it's because they've done things too hastily," Brown said.

Open carry

One major gun-related bill that has seen progress in the Legislature is the so-called "omnibus gun bill," sponsored by Sen. Scott Beason, R-Gardendale, and passed by the Senate earlier this month.

The bill is, by any account, a sweeping rewrite of the state's gun laws, with the goal of making guns easier to carry. It would restrict sheriffs' rights to deny people permits to carry concealed pistols, and would make it expressly legal to openly carry holstered pistols virtually anywhere, unless the owner of a property expressly denies permission to do so.

Proponents haven't sold the bill as a reaction to Newtown, but passage would place Alabama among a handful of states that have responded to the new gun debate by making guns easier to get.

Law enforcement officials, by and large, hate the bill. Every sheriff in the state

signed an open letter appealing to lawmakers to kill it.

"There's really a huge misconception," said Calhoun County Sheriff Larry Amerson.

"A lot of people think that if I have a gun, and someone sees that I have it, they'll be deterred from something."

Law enforcement officers wear visible weapons every day, Amerson notes. And for them, an armed society has not been a polite society.

"We talk about the 2-percenters," he said. "There's 2 percent of people who just aren't afraid of anything, and they're not going to be deterred."

Beason has long maintained that the bill is simply an effort to clarify the state's gun laws. He claims it's already legal to carry a pistol openly. Carrying a weapon is a constitutional right, he said, and current law gives sheriffs too much discretion in allowing sheriffs to deny that right.

"He never had to give you a permit if he didn't like you," Beason told The Star on the day the bill passed.

Amerson agreed that state law includes no criminal penalty for carrying a gun openly. But current law does prohibit carrying openly on land that isn't your own, and police typically enforce that law by arresting gun-toters on charges of disturbing the peace.

Amerson doesn't see any problem there.

"In the past, if you carried your gun to church and wore it on your hip like a cowboy, people would call law enforcement," he said. "It makes people uncomfortable."

Big need, little money

Amerson said better mental health care is one thing the state desperately needs in order to reduce gun violence. He's quick to note that most people with mental illness aren't a threat to themselves or others. But when armed people do reach a mental health crisis, they need somewhere to go, he said.

"In Alabama, if you get sent to the state mental hospital, you're going to come back fairly quickly," he said. "You'll come back in 90 days."

When The Star asked readers in December for their thoughts on preventing gun deaths, most respondents said mental health care should be part of the solution. Some readers pointed out declining state funding of the state's Mental Health Department over recent years, and the closing of some state mental hospitals.

Despite the calls, back then, for more mental health funding, the Department of Mental Health remained largely silent on the issue.

Last week, Mental Health Commissioner Jim Reddoch told The Star why.

"We'd already given the governor our budget request," Reddoch said.

Budget requests, submitted late in the year to help the governor draft a budget, are an agency's best guess of the funding they'll need for the coming year. To change the numbers after Newtown would have smacked of opportunism.

Reddoch was also reluctant to enter a discussion that seemed predicated on the idea that his clients are somehow a menace to society.

"It is not true that all mentally people are dangerous and violent," he said. "Traditionally we have seen that they are the victims and not the perpetrators."

Ultimately, Reddoch requested about \$16 million more than his agency got from the state government last year. The agency got \$132 million from the state's two budgets in 2013.

Most state agencies received no funding increase this year.

"We're on the skinny side of providing the services that need to be provided," Reddoch said.

Still, he said, he has to work with the political realities.

"If there was money, we'd have a great cause for more funding," he said.

Racing the clock

Amerson, the Calhoun County sheriff, said he can't think of a single bill — at least one that's passed so far — that has made his job easier this year.

"I know of no provision dealing with a reduction in violence," he said. "I'm not seeing anything happening in that regard."

Amerson, president of the National Sheriffs' Association, tracks public safety pretty closely. Others see things more locally — like Allison, the high school administrator, who sees new policies when he reads about them in the paper, or gets a memo from the state Education Department.

"I really don't know what progress we've made," he said. "I'd love to know if anything's really occurred."

Fincher, the school security director, said it's too early to assume the state won't do anything this year for school safety.

"This isn't a game, but in a way it's like we're in the fourth quarter of a football game," he said. "In the fourth quarter, you may think you know how it's going to end. But you never know."

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