

Guns at election sites: What could go wrong?

League of Women Voters of FL joins national fight over gun rights and voter safety

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Guns don't belong in places where people vote, register to vote or count votes, the League of Women Voters of Florida says in joining a federal lawsuit that involves gun rights and voter intimidation.

“The League of Women Voters of Florida is strongly advocating for protections against voter intimidation in our state,” said League president Cecile Scoon in a statement announcing its filing of an amicus brief in a New York lawsuit pending before the U.S. Supreme Court.

The New York State Rifle & Pistol Association and plaintiffs Robert Nash and Brandon Koch are suing New York authorities to challenge restrictions in that state on carrying concealed firearms in public places including election-related settings. The League of Women Voters of the United States and the Florida chapter are joining the case in support of gun restrictions that shield voters and election workers from intimidation.

“The League has long recognized that the right to vote is meaningless without the right to vote safely. The unchecked carrying of concealed firearms imperils the electoral process at multiple stages, from the threat of violence at registration to voter intimidation at the polls,” the League says in its Sept. 21 filing.

The filing defends New York's requirement that a person licensed to carry a concealed firearm must demonstrate “proper cause” why he or she specifically needs to carry a gun in public. The lawsuit does not challenge broad rights to carry a gun under the Second Amendment.

“New Yorkers may own and bear a firearm in a variety of settings: at home, in connection with a job, out hunting, and, when ‘proper cause’ is shown, in public. New York thus ensures that – given local circumstances – the right to bear arms can coexist with public order and New Yorkers' right to vote without fear of encountering firearms obtained on ‘speculative or specious’ grounds,” the filing says.

The League filing cites the Jan. 6 attack on the nation's Capitol during congressional certification of the 2020 presidential election results as a stark example of how weapons and violence can erode public confidence in participating in election activities. "Without the District of Columbia's strict limitations on concealed carry, the damage on all sides could have been far worse," the filing says.

The plaintiffs argued in a December 2020 petition that citizens should be able to carry guns anywhere for self-defense.

"A law that flatly prohibits ordinary law-abiding citizens from carrying a handgun for self-defense outside the home cannot be reconciled with the Court's affirmation of the individual right to possess and carry weapons in case of confrontation," the Rifle & Pistol Association argues, complaining about similar laws in multiple jurisdictions.

Others that filed amicus briefs in July in support of the Rifle & Pistol Association include Gun Owners of America, the Center for Defense of Free Enterprise, the Cato Institute, and Republican Sen. Ted Cruz and 24 other U.S. senators.

Organizations that filed amicus briefs in support of the gun restrictions include the NAACP Legal Defense and Educational Fund, the American Medical Association, March For Our Lives Action Fund, and the City of Chicago and 11 other cities from Seattle to Baltimore.