

**Sheriff Larry Ashley Re: "Open Carry" Legislative Proposal  
Florida HB 163 and SB 300**

**October 27<sup>th</sup>, 2015**

I have and continue to be an avid supporter and defender of our Second Amendment right to keep and bear arms. I also believe that as a citizen and as Sheriff, it is my duty "to protect and uphold our Constitution and that includes our Second Amendment right to keep and bear arms. It is also mine and our citizen's responsibility to promote safe, responsible, and competent use of firearms." This is also the stated mission of the National Rifle Association of which I am a long time member.

I have been asked by the Florida Sheriff's Association to vote in support or opposition to the current open carry legislative proposal and I've been asked by many of our citizens what my view is on proposed "open carry" legislation as presented in Florida HB 163 and SB 300. **To be honest, I'm not sure how I feel about it.** I abstained from voting in the FSA poll because I really don't know if it will help or hurt our citizens or lessen or improve our safety. I'm not sure if its stated purpose of protecting CWP holders from possible arrest for accidentally exposing their firearms is a real threat or if it the open carry of firearms will make the CWP holder or our citizens any safer. I also don't know if this legislative proposal will help, hurt or matter not to Florida's tourist economy? Again, I don't know the answers to these questions. I hope our lawmakers do because the long term results (good or bad) of this decision will be their burden to bear.

We already have the right in Florida to openly carry a firearm to and from "fishing, camping, and lawful hunting expeditions" as stated in Section 790.25 (3) (h); however, I'm not certain we know if the intent in that statute was for the open carrying in a public place or really meant for those engaged in these activities while going and coming from rural locations. Again, the description of expedition is a matter of interpretation and one that could depict travel or activity in a wilderness, rural and/or unpopulated area. It provides for the open carrying of a firearm while traveling to and from the fishing, hunting, and camping designation however I don't know if the statutory intent is clear cut when determining if a populated public fishing or camping venue such as a state park, bridge or fishing pier is included.

That aside, I certainly believe in our God given (not government granted) right to self-defense. A real concern however is that I don't believe our current licensing process for concealed weapon permits is adequate in helping ensure the safety of the licensee or the public as a whole. I know many friends who are CWP holders and they are experts who are proficient and qualified in the use of firearms. Unfortunately I also know some that are not. I do not believe we currently have adequate training requirements to help ensure safe, responsible, and competent use of firearms by CW permit holders and much less so for the open carrying of a firearm which would, in my opinion, require even more training. Weapon retention training could certainly help CWP holders learn how to protect their firearms from being taken from them by an assailant. In order to better protect the CWP holder and public, we should also teach target acquisition, gun and ammunition capabilities and legal thresholds as well. The questions surrounding adequate training standards or requirements for obtaining CW permits or even a means by which to verify that training actually occurred are strangely muted. There are currently no annual proficiency requirements to maintain or even the ability to verify that an individual is adequately competent with a firearm. That shortcoming presents a seemingly significant obstacle to the open carrying of firearms. If our legislators do decide to legalize the open carry of firearms for CW permit holders without adequate training requirements included, it would be

something akin to licensing a vehicle driver or airplane pilot whose training is unknown. Both scenarios could be dangerous not only to the licensee but potentially to their neighbors.

In short, I believe we all have the right to defend ourselves, however every right also bears a responsibility. That individual responsibility in this case is to be adequately trained in your right to keep and bear a firearm in self-defense without placing yourself or others at risk due to gross negligence. I trust that our legislators and our citizens have considered these concerns because the liability of carrying and utilizing a firearm in self-defense or in the defense of others is not merely a legal one but also a moral one.

**You could sum up my opinion on the issue by stating that I'm very comfortable with the open carrying of firearms by lawful citizens that are trained and know how to use them responsibly. By the same standard, I would be very leery of permitting those that don't. The question then becomes, who's responsible for that?**

Since becoming Sheriff, I have addressed this concern in our county by implementing a free citizen's firearm training course conducted at our agency range. Many hundreds of our citizens have already become safe and proficient with the use of their firearms by taking advantage of this free training. I believe our course addresses some of the before stated training shortfalls and provides the necessary instructions to ensure that our citizens are safe and competent in the use of their firearms. This course also helps our citizens become better trained and equipped to deal with violent crime should they be confronted with it. Please see the below training course provision which can be found on our agency website at: [www.sheriff-okaloosa.org](http://www.sheriff-okaloosa.org). -specific web page - <http://www.sheriff-okaloosa.org/services-courses/firearms-safety/>

Sincerely,

*Larry Ashley*

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## **OCSO Firearms Safety Course Description**

### ***Firearms Safety***

The Okaloosa County Sheriff's Office (OCSO) offers a Citizen's Firearm's Course for Okaloosa County residents at least 21 years of age. A **complete application** is required, and a background check will be performed. This two day course is designed to instruct you in firearms safety, to familiarize you with your firearm and to help you become proficient with its use. Classroom portion and Range Portion must be completed in the same week. If you cannot complete both portions in the same week, you may reapply again after 6 months.

### ***Classroom Portion:***

- Must bring firearm, holster and valid photo ID to the class for instructor inspection.
- Ammunition is not allowed in the classroom.
- Notify instructors of any medical conditions that might affect your participation in the training (for example: diabetes, back problems, etc.). We can work with many situations and have successfully trained people with various disabilities and medical conditions.

### ***During the course, you will:***

- Familiarize yourself with your firearm
- Become proficient with its use
- Be educated on current firearms laws
- Learn about civil liability of having a firearm in your home or business

### ***Range Portion:***

- Designed to incorporate the class instruction with firing of firearm
- You must have your own firearm and 50 rounds of ammo (a max of two people can share a firearm, for example, a husband and wife, or parent and adult child)
- No magnum calibers larger than .357 magnum
- Must have ear protection, eye protection, holster and a sturdy belt
- Holster must be designed to securely retain the firearm in the holster during movement (bending, sitting, etc.)

**[Click Here to View Video of Range Portion](#)**

### ***Participation:***

A background/criminal history check of every participant will be conducted. Participants having any potential conflicts resulting from their criminal history check will be contacted and the Range Master will be solely responsible for determining final approval for participation.

Answer all of the questions honestly or there will be possible refusal of attendance. A Conviction of felony charges and some misdemeanor charges may automatically disqualify an applicant.

Should you plan to purchase a firearm to participate in this firearms training, please be aware of the following factors: small firearms require more training to use effectively. They usually have smaller sights and a shorter barrel. They have a smaller grip. Users normally feel more recoil from a small firearm. If you do not plan to carry the firearm on your ankle or in your pocket, please consider a mid-size firearm.