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Press archive

Gun accident reveals double standard

"Op-ed" article

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by Ralph D. Sherman

The recent accidental discharge of a handgun at the Bushnell theater has made some Connecticut residents angry about the lawful presence of handguns in theaters. Typically these residents don't support the ownership or carry of firearms anywhere, not just in theaters.

But the incident has also angered many civilians who hold permits to carry handguns - because the incident revealed a repugnant double standard.

If the handgun that discharged in the theater had belonged to a private citizen, he would have been charged with reckless endangerment, breach of peace, and unlawful discharge of a firearm. He could face a total maximum sentence of 21 months in jail and \$3,250 in fines. And his handgun permit would have been revoked by the State Police.

I know because I've represented a number of private citizens who have been arrested in the same type of situation. In some cases the concealed handgun didn't even fire; it was merely exposed inadvertently.

No charges have been filed in this case, however. The gun owner was a police officer.

Any innocent person who was hurt or frightened in these situations has my sympathy. Firearms accidents - like other accidents - are almost always preventable. When a concealed handgun discharges accidentally, the explanation is usually one of three possibilities: the owner was fiddling with the gun, he was carrying it in a poorly designed holster, or he was carrying it without a holster at all. There's no good excuse for any of these circumstances.

An assistant state's attorney recently wrote in a letter to the Courant, "If the Bushnell could somehow magically and successfully ban all crime from the premises, only then would it be feasible to prohibit off-duty officers from carrying weapons." The same is true for Connecticut's 140,000 private citizens who hold handgun permits. If the Bushnell - or the police - could somehow ban all crime, then we wouldn't carry concealed handguns to protect ourselves and our families.

Like many permit-holders, however, I wouldn't dream of taking my spouse out for an evening in Hartford without a concealed handgun. Just blocks from the Bushnell lie some of Connecticut's most crime-infested neighborhoods. I'm cautious about where I park my car and what path we take to the theater.

When the show ends and the glittering crowd disperses into the darkness, I do everything possible to make sure my wife and I aren't targets for robbery. But if all else fails, at least I have my handgun as a last resort. I know the police can't be everywhere. (The point was illustrated the night of February 11 when a man in Manchester used his concealed handgun to save himself from three teenage robbers who were armed with a rifle.)

It's wonderful when off-duty officers are able to save innocent persons and apprehend criminals. But off-duty officers also carry handguns for the same reason I do. They know the on-duty police can't be everywhere.

Like millions of other civilians across the United States, I've carried a concealed handgun to the theater, the supermarket, and the mall hundreds of times without ever coming close to an accidental discharge. I take the responsibility very seriously. I don't want to injure or alarm innocent persons. I also don't want to be prosecuted for an accident.

But the fear of prosecution may not motivate police officers to carry handguns responsibly - not if their badges make them immune to prosecution.

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