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LEGAL BRIEF: CONCEALED  
CARRY IN A CHURCH

Many who carry concealed weapons cite their right to bear arms under the Second Amendment to the U.S. Constitution. This right exists; the government cannot absolutely ban citizens from owning or carrying firearms.

The right to bear arms is not absolute, however. Churches are private property owners. As such, churches can generally place certain requirements on those who visit their property. Just as a store can deny entrance to someone not wearing a shirt or shoes, a church can generally take steps to limit or restrict the privilege of carrying a concealed weapon while on church property.

## Concealed Weapons in the Congregation

### Determine what your church will allow.

Depending on where you live, the concept of carrying a concealed handgun into church could be curious or commonplace. Some states forbid concealed-carry weapons in places of worship without the church's permission. Other states specifically allow the practice unless the church specifically prohibits it.

Your church leadership will need to consider whether it will allow the public to carry concealed weapons on church property. This is best done in consultation with an attorney.

Ask these questions to guide the discussion with church leaders:

- What does our state's concealed-carry law say? Does it require permission to carry? Does it require signs prohibiting it to be posted?
- How much training does our state require before a person can legally carry a concealed weapon?
- How do we make sure a concealed weapon doesn't accidentally discharge or fall from a holster during a worship service?
- How will concealed-weapon holders respond in life-or-death situations?
- How would police responding to an incident know who is friend and who is foe if multiple people in the congregation draw guns in response to an attack?
- Could our church be held liable for the actions of a church member with a concealed-carry permit who shoots a person who is causing a disturbance?
- How can our church legally tell people not to carry weapons to the church, even if concealed-carry laws say that guns can be carried into places of worship?
- If our church tells someone not to bring a weapon to church, will it violate that person's constitutional right to bear arms?
- Should we post signage stating our church's policy regarding weapons, or might that create more problems?

You might not know the answers to all of these questions. This is why it's a good idea to discuss the issue of concealed weapons with your church's attorney, as well as with your leadership team. Whether or not your church decides to allow people to carry concealed weapons, it retains a legal and moral duty to reasonably protect its guests and members.

To satisfy that duty, church leaders will want enough knowledge and control over the use of weapons in the church to ensure a safe environment for members and guests.

Coordination within the church and with authorities who would respond to an incident requires effective communication and management. Staff, security team members, and local authorities need accurate information about what’s happening and who the threat is. Your concealed-carry policy will significantly affect your potential liability if shots are fired.

Be prepared to have an in-depth conversation with church leadership on this topic.

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**fyi** CONCEALED WEAPON LAWS

All 50 states have laws concerning concealed weapons. Nine states grant discretionary permits on a limited basis. Two ban concealed weapons entirely.

—National Rifle Association, 2015

### Concealed-Carry Policies: Things to Consider

Option	Description	Considerations
<b>Strict concealed-carry policy</b> <i>(Only security team members may carry.)</i>	Only authorized members of the security team are permitted to carry firearms on church property. All other firearms must be kept off the property or locked in the trunk of a car.	<ul style="list-style-type: none"> <li>Everyone knows exactly who’s armed and who’s not.</li> <li>Church attenders who have a license to carry firearms may be unhappy that their ability to carry is restricted.</li> </ul>
<b>Moderate concealed-carry policy</b> <i>(Security team and authorized individuals may carry.)</i>	Authorized members of the security team plus other attenders who have a permit to carry and who obtain permission are permitted to carry firearms on church property. All other firearms must be kept off the property or locked in the trunk of a car.	<ul style="list-style-type: none"> <li>Church attenders who have a license to carry firearms are less likely to be upset with the policy.</li> <li>Accidental firearm incidents are more likely to occur. In an active-shooter situation, it’s much more difficult to know which drawn gun poses a threat and to coordinate a response.</li> </ul>
<b>Lack of any concealed-carry policy</b> <i>(Any individual may carry.)</i>	Any individual is permitted to carry a firearm onto church property. There are no stated restrictions.	<ul style="list-style-type: none"> <li>Those who carry firearms are less likely to be upset with the policy.</li> <li>Accidental firearm incidents are more likely to occur. In an active-shooter situation, it’s virtually impossible to know which drawn gun poses a threat, and it’s much more difficult to coordinate a response.</li> </ul>