



Exercising the Right

Constitutional Carry in Louisiana

One of the positive trends this column has been reporting on is how states are changing their gun laws to allow the permitless carry of handguns, which is popularly referred to as “constitutional carry.” The *Shreveport Times* reported on May 30 that the Louisiana Senate voted to approve a law, which had already passed the House, that will allow gun owners who are at least 21 years old to carry concealed firearms without obtaining a permit. The bill was sponsored by Republican Representative Danny McCormick, who explained, “Constitutional carry will restore Second Amendment rights in Louisiana.”

Kelby Seanor of the National Rifle Association touted one of the many benefits of constitutional carry, saying that “it puts law-abiding citizens on equal footing with criminals.... It removes the burden to exercise a constitutional right.”

Louisiana law already allows gun owners to open-carry handguns in public without a permit, but the new law will now allow gun owners to carry concealed. More than half the states in the country have constitutional carry, including all of the states that border Louisiana.

McCormick had already failed to get this law passed three times, but it appears the fourth time is the charm. Now that it has passed the Senate, the governor has indicated he will sign it into law.

McCormick thinks it’s about time, and simply said, “We should trust people with their rights.”

Exercise Your Right to Remain Silent

Fox News reported on May 20 about a self-defense shooting in Shelby County, Tennessee, in which the victim of an armed robbery ended up getting arrested while the criminals were still on the loose.

The homeowner was notified by his security system that several people were outside his house trying to burglarize his vehicle, which was parked in the driveway. The homeowner walked outside to investigate, but the would-be thieves started shooting at him. Fortunately, the homeowner was armed, and he returned fire. The suspects quickly fled.

Police were soon called to the scene and talked to the man about the incident, which was captured by a security camera.

The man’s wife was put off by the questions the police were asking, and told the local Fox affiliate, “When they were talking to him, from what I saw, it was like they were trying to find ways to charge him.... That doesn’t sound right. Why would you put pressure on the victim when you should put pressure for the suspects to be found?”

The homeowner did make several potentially incriminating statements, such as that when he returned fire, he couldn’t see how many suspects there were because it was the middle of the night and he had his eyes closed while he shot. He also admitted that he shot at the suspects as they fled.

The homeowner was arrested by the police and charged with reckless endangerment. His wife was shocked, feeling that the police put more effort into punishing the victim than investigating the crime and bringing the perpetrators to justice. “The suspects, they are out there.... They were probably sleeping or partying [while] my husband was in jail trying to get released for something where he was innocent,” she told the local Fox affiliate.



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In hindsight, if the homeowner had simply consulted with an attorney before talking to the police, he most likely would not have been arrested.

Many supporters of the Second Amendment rushed to the defense of the homeowner, including Heritage Foundation senior fellow Amy Swearer, who posted a lengthy Twitter thread on May 16 denouncing the arrest:

I'm floored that the homeowner here is being charged with "reckless endangerment." The arguments from police seem absurd on their face to me. The only people he endangered were ... the ones shooting at him. And he's 100% entitled to "endanger" them.... I'm open to arguments that I'm missing something, but it seems absurd on its face. They clearly fire first. They keep firing even while "retreating" (and that's a dubious characterization). He's defending himself and his family on his own property.... This nonsense from cops is why EVERY gun owner should get a gun owner's legal liability insurance plan. It's also why I don't doubt for a single second that many [defensive gun uses] go unreported — gun owners don't trust that cops won't take THEM out in cuffs instead of the actual criminals.... Oh my goodness. If you watch all the way through to the end, the suspects literally fire a final shot back at the house as they're driving away and AFTER the homeowner retreats inside. There was no point in that video where they weren't an active, imminent threat.

One commenter on a Facebook group called "Stop Memphis Crime" offered some sound advice for talking to police after a self-defense shooting: "If he merely stated 'They fired at me and I returned fire because I believed my life was in danger. I'll answer no more questions until I have an attorney to represent me.' there's little they could charge him with. Unfortunately, his effort to be cooperative got him charged with reckless endangerment."

Emotional 911 Call

WSOCTV.com reported on June 1 about a shooting in Gastonia, North Carolina, where an intruder broke in to a home and was shot by the homeowner. An occupant of the home called 911 to report the shooting. The caller told the 911 dispatcher, "Somebody tried to rob us.... Oh please Jesus, please hurry." The 911 dispatcher asks if an intruder broke in and was shot, and the caller responds, "Yeah. Please come on somebody, I'm going to have a heart attack if you don't get here soon."

Police soon arrived on the scene and found the suspect near the front door suffering from gunshot wounds. He was transported to a nearby medical facility, where he died. The investigation by law enforcement is ongoing.

— *Patrick Krey*



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