



RICK SCOTT
GOVERNOR

May 1, 2012

The Honorable Bob Buckhorn
Office of Mayor Bob Buckhorn
315 East Kennedy Blvd., 5th Floor
Tampa, Florida 33602

Dear Mayor Buckhorn,

Allow me to take this opportunity to reply to your letter of May 1, 2012, requesting that I "exercise the powers vested in [me] by the Constitution and the laws of the State of Florida and issue an executive order prohibiting the transportation of firearms in Downtown Tampa during the [Republican National Convention]." My understanding is that the current security plan will ban firearms in the convention center itself, as well as in an immediately adjacent "safe zone" established by the Secret Service. You are now requesting that citizens be disarmed in *all* of downtown Tampa, including in areas across the river, and distant, from the convention center and Secret Service safe zone.

The short answer to your request is found in the 2nd Amendment to the U.S. Constitution and in Article I, Section 8 of the Florida Constitution. These provisions guarantee that the government may not infringe the people's right "to keep and *bear* arms." The United States Supreme Court has explained that those rights have real force, and that government bans on firearms are generally impermissible. While the government may enforce longstanding prohibitions on the carrying of firearms in sensitive places such as schools and government buildings, an absolute ban on possession in entire neighborhoods and regions would surely violate the 2nd Amendment.

You note that the City's temporary ordinance regulates "sticks, poles, and water guns," but that firearms are a "noticeable item missing from the City's temporary ordinance." Firearms are noticeably included, however, in the 2nd Amendment. The

choice to allow the government to ban sticks and poles, but not firearms, is one that the People made in enacting their state and federal constitutions.

Like you, I share the concern that "violent anti-government protests or other civil unrest" can pose "dangers" and the "threat of substantial injury or harm to Florida residents and visitors to the State." But it is unclear how disarming *law-abiding* citizens would better protect them from the dangers and threats posed by those who would flout the law. It is at just such times that the constitutional right to self defense is most precious and must be protected from government overreach. I am confident that the many federal, state, and local law enforcement agencies focused on the RNC will fully protect Floridians and visitors, without the need to resort to sweeping infringements on our most sacred constitutional traditions.

We have had political conventions in this country since the dawn of the Republic. They are an essential means of furthering our constitutional rights to free speech and to vote. Our fundamental right to keep and bear arms has coexisted with those freedoms for just as long, and I see no reason to depart from that tradition this year.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Scott", with a large, stylized initial "R" and "S".

Rick Scott
Governor