

By: Stickland

H.R. No. 769

R E S O L U T I O N

1 WHEREAS, the Capitol belongs to the people of Texas and the
2 Representatives who convene therein and operate under the authority
3 of the consent of the governed; and

4 WHEREAS, there is no distinction in class or privilege
5 between the legislators, their employees, and the people of Texas
6 except that the former are servants of the people; and

7 WHEREAS, a free and open Texas State Capitol is the
8 embodiment of these recognitions, as well as, the cherished
9 tradition of freedom and democracy in this State; and

10 WHEREAS, a siege mentality by government officials should be
11 avoided at all costs as we must not lose perspective about our
12 purpose and the source of that purpose; and

13 WHEREAS, the use of metal detectors constitutes a search of
14 all citizens entering their Capitol; and

15 WHEREAS, the power of search and seizure is so great a power
16 that the American Founding Fathers thought it necessary to limit
17 its use in the Constitution by name; and

18 WHEREAS, the installation of metal detectors and searches
19 required for entry by citizens into their Capitol is not reasonable
20 in either its efficacy or justification; and

21 WHEREAS, historic incidences illustrate that unless all
22 individuals including elected officials and their staff entering
23 the building at all times of day are searched, the use of metal
24 detectors is ineffective in preventing firearms from entering a

1 building; and

2 WHEREAS, under Texas law, it is legal to carry a firearm into
3 the State Capitol; and

4 WHEREAS, the men and women of the Texas Department of Public
5 Safety possess the highest skill and ability and have proven in
6 every instance capable of handling the threats which metal
7 detectors attempt to address; and

8 WHEREAS, metal detectors and searches constitute a barrier
9 between the citizens of Texas and their government and send the
10 message to citizens that they are not truly welcome in the halls of
11 their government; and

12 WHEREAS, Texans understand that with freedom and openness
13 there is an assumption of risk for ourselves and our progeny, yet it
14 constitutes a sacred barter, where in the exchange, we secure our
15 most precious possession which is liberty for ourselves and our
16 children; and

17 WHEREAS, many Texans have made the ultimate sacrifice for our
18 liberties so that we may maintain a free and open government and we
19 should not easily cast aside their hard won bequests to our
20 generation; now, therefore, be it

21 RESOLVED, That the House of Representatives of the 83rd Texas
22 Legislature finds that metal detectors and searches should not be
23 utilized at any entrance into the State Capitol and urges the Texas
24 State Preservation Board to take action to remove the metal
25 detectors currently in place; and, be it further

26 RESOLVED, that a copy of this resolution be delivered to the
27 members of the Texas State Preservation Board.