

Fourth of July arms display deemed legal, but - Herald-Times (Bloomington, IN) - July 7, 2016

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Machine guns displayed prominently on the Panther Ridge Training Center's unit in the Bloomington Fourth of July Parade prompted some complaints from parade spectators, but city officials say the guns were allowed by state law.

The guns — an M60 "pig" machine gun and a BREN British machine gun — were loaded with blanks, or replica ammunition. That information wasn't shared with parade organizers or disseminated to the public.

According to Jerimiah Barthold, owner of Panther Ridge, the first official city inquiry into his weaponry was a Bloomington police officer responding to complaints from the crowd at the time of the parade. Even if the city's parks and recreation department had known about the guns in advance, it would not have affected their presence in the parade, thanks to a 2011 state law limiting any local municipality's regulation of most firearms.

"We, as an administration, understand in our community the presence of a weapon on an individual that isn't a law official ... it's unnerving," said Deputy Mayor Mick Renneisen. "Can we do anything about it, legally? Any way we've looked at it and discussed it — no. People have called us and suggested things, but there's nothing that the law allows us to do."

The parade concerns came within weeks of the report of a handgun being carried in public at Bryan Park Pool. Renneisen said that incident did not violate state or local laws, either.

Indiana law allows permit holders to openly carry firearms in most public places, with a few exceptions that keep permit holders from carrying on school property, on commercial planes or certain segments of an airport, on a riverboat gambling cruise, on Army Corps of Engineers property such as Lake Monroe and more.

"It was parks' policy that no weapons could be carried on parks property," Renneisen said. "But as soon as the state law passed, we had to rescind that. We've probably had two incidents in the past five years, that I'm aware of, where a person reported an open carry. It's totally lawful and there's nothing we can do about it."

Some states, including Louisiana, North Carolina and Idaho, have laws specifically protecting the inclusion of firearms in the context of a parade. Indiana does not.

"Whether or not you agree with the gun laws or with this particular gun law, this applicant didn't do anything wrong and they're a legitimate business," said Philippa Guthrie, the city's corporation counsel.

Businesses and organizations looking to be featured in the parade are reviewed by members of the city Parks and Recreation Department, which jointly produces the event with Downtown Bloomington, Inc. Renneisen said city officials ask applicants "the who, what, when, where and why" of what their entry will feature to best place them in the parade's lineup. Panther Ridge's application form made no mention of the presence of any firearms, and according to Renneisen, he was first alerted to the machine guns by an intern on Tuesday morning.

"As far as regulating it in advance? We can't," Renneisen said. "We can ask politely to please not carry a weapon on a float ..."

But, Panther Ridge wouldn't have to comply. Furthermore, the organization wouldn't have to disclose the presence of their firearms. The military-trained men holding the weapons are only legally required to produce their carry permit if prompted to do so by an officer. On a more technical note, Barthold stated that he did sign a document stating that his parade entry wouldn't feature open flames or pyrotechnics, which could be interpreted to include live ammunition.

"It was a statement of our being soldiers," said Barthold. "We want to give you a little bit of safety and security. I've been saying that for five years, but people haven't gotten the picture yet, and I just wanted to let people know their rights still exist. It's what we've fought for. We've bled for this stuff."

Barthold described the show of arms and the inclusion of replica ammo as being "parade pretty," a practice meant to better demonstrate "what we do, who we are and where we come from."

"Our sensibilities may be affronted now because of it, but people have to understand that it is legal. The city had things in place until the state changed those things," Renneisen said. "If you believe in democracy, and you believe your vote matters and you believe in contacting your state representatives, then this is when your voice needs to be heard."

Nearly a dozen complaints were filed with the city's legal and parks departments in the days after the parade. Renneisen said more concerns were aired online, across social media.

"I'm glad people are talking about it," Barthold said. "That was the point. This will let Bloomington know if they understand what is written, or if they don't understand what is written. I represent nothing more than what that Constitution has written me to be."

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