

ANNE STEYER

Gun sellers need to be careful

Last week in West Palm Beach, Fla., a jury ruled that the Kmart Corporation must pay more than \$11 million in damages to a quadriplegic woman.

The woman, Deborah Kitchen, was shot by Thomas Knapp, her drunken boyfriend, shortly after he purchased a rifle from a Kmart.

Knapp is serving a 40-year prison sentence for the 1987 shooting and must pay approximately \$1 million in damages himself.

Immediately, I'm sure, all the NRA supporters out there will vehemently protest the decision to punish Kmart, but hold your ire, please, and read on.

The jury foreman said Kmart was negligent in its training of the salesclerk who sold Knapp the gun.

The Kmart salesclerk said Knapp did not appear to be intoxicated when he purchased the rifle, even though the soon-to-be criminal was unable to fill out the required Federal Bureau of Alcohol, Tobacco and Firearms forms necessary for firearm purchases.

Because Knapp's handwriting was unintelligible, the clerk recopied Knapp's information and then had Knapp sign the form.

The clerk filled out the requisite form for him. Obviously Knapp was in no condition to be handling a firearm if he could not even fill out a very simple form.

How simple? A Lincoln Kmart sporting-goods clerk said the form consisted of yes or no questions and a slot for a signature and date.

Besides showing a Nebraska driver's license to prove they are at least 18, all potential gun buyers must do is answer the yes or no questions — all of which deal with criminal record, chemical addiction/abuse, mental competency and patriotism.

But the federal form doesn't consider that anyone who wants to purchase a gun would not be stupid enough to answer "yes" — obviously if they say they've been convicted of a crime they won't be able to get a gun. Con-



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victs can't get guns. Neither can the mentally ill or drug addicts.

If someone is stupid enough to answer "yes," the Kmart clerk said salespeople must then make sure the person understood the question.

In essence, if they are that stupid, they have one last shot to change their mind and take home their very own shotgun or rifle from Kmart's wide selection of both.

Once the form has been filled out, the gun can be purchased, whether the purchaser is lying or not — because there is no way for the Kmart salesperson to know.

Yes, this has been discussed ad nauseum.

But that doesn't negate the seriousness of this subject matter.

All of this is frightening enough, but an even more burning issue is the availability of firearms — soon to become even more accessible in Lincoln.

The new Lincoln Kmart store is scheduled to open Oct. 25. The plans call for a 24-hour superstore: all departments open 24 hours a day.

And while Kmart does not sell handguns, it does sell handgun ammunition. That hardly makes sense to me, but selling guns and ammunition 24 hours a day hardly makes sense to me, either.

Soon, at any hour of the day people can enter Kmart and purchase rifles, shotguns and ammunition for their firearm of choice. That's at noon, at 4 p.m., even at 2 a.m. after a late night of arguing and Budweisers. Or after

being kicked out of a party they thought they belonged at. Or after a particularly vicious night of bickering with their spouse or significant other. Or after a long, difficult night of depression.

This frightens me. I don't want ammunition accessible 24 hours a day to anyone.

If hunters need more bullets, they should think ahead and pick them up the day before.

The verdict in Kitchen's lawsuit shows that decent, upstanding citizens finally are doing something about the accessibility of guns. They, like me, are sick and tired of being frightened. Now they're hitting the gun sellers where it hurts — their pocketbooks.

Kmart's lawyer said the company would appeal the verdict. I understand that. I'm not entirely sure they should be held responsible, but I know that this should send a message to company officials: They need to be more careful.

Kitchen said in an interview after the verdict was announced that gun sellers should be held responsible for the actions of gun buyers. "Just be careful, conscientious and aware," she said.

I hope the new Kmart store takes those words to heart and acts upon them.

Steyer is a senior history and English major, a Daily Nebraskan arts and entertainment senior reporter and a columnist.

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