

# Virginia Citizens Defense League, Inc.

P.O. Box 513 • Newington, VA 22122 • 804-639-0600 • Fax 804-739-8376

## 2011 Election Candidate Survey

Name: \_\_\_\_\_ Position Sought: \_\_\_\_\_  
Address: \_\_\_\_\_ Party: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email: \_\_\_\_\_ Fax: \_\_\_\_\_  
Web Site: \_\_\_\_\_

1. Many states have "reciprocity" arrangements where they recognize each other's concealed carry permits. Increasingly, states are unilaterally recognizing all other states' concealed handgun permits or adding a simple provision to their law that automatically recognizes the permits of any state that recognizes their permits. These states have not experienced any problems due to their unilateral recognition of other states' permits.

Therefore, as Virginia recognizes more states' permits, more states will recognize Virginia's permits resulting in Virginia concealed handgun permit holders being able to legally carry concealed in more states.

**Will you vote FOR legislation recognizing all other states' concealed carry permits?**

Yes  No

2. Virginia law provides for fingerprinting of concealed handgun permit applicants as a local option. Most localities do not require fingerprinting – only 25% require it. This establishes a non-uniform application procedure throughout the Commonwealth.

More importantly, the process of fingerprinting concealed handgun permit applicants treats law-abiding citizens like common criminals and results in FBI registration of applicants. No matter what the Virginia code requires, the FBI never destroys a fingerprint record once it is received.

75% of Virginia localities and many other states (Pennsylvania, for example, with over a half million permits issued) do not require fingerprinting of concealed weapons applicants and have not experienced any problems.

**a. Will you vote FOR legislation to repeal the fingerprint language in Virginia's concealed handgun law?**

Yes  No

**b. Will you PATRON or COPATRON legislation to repeal the fingerprint language in Virginia's concealed handgun law?**

Yes  No

3. Virginia law generally prohibits the carrying of guns in both public and private K-12 schools, except for the police (including off-duty, vacationing LEOs from other states).

So, an off duty, vacationing game warden from Hawaii can legally carry a loaded gun into a Virginia school classroom, but a Virginia citizen with a concealed handgun permit can't even get out of his car! This ban 1) infringes the rights of law abiding Virginians, 2) grants special privileges to citizens of other states who know little or nothing of Virginia law, and 3) makes it almost certain that children and school personnel would remain helpless in the face of a Columbine type of attack by a deranged student or stranger who will ignore the law against bringing a gun into the school.

Even the draconian federal Gun Free School Zone Act specifically exempts concealed handgun permit holders from its restrictions and allows permit holders to carry their firearms into classrooms.

**Will you vote FOR legislation to more closely conform school gun policy with federal standards by allowing concealed handgun permit holders to have a gun on their person while on school grounds?**

Yes \_\_\_\_\_ No \_\_\_\_\_

4. Virginia law does not prohibit the carry or possession of firearms on college and university property. However, many colleges and universities have established policies prohibiting students and staff from possessing or carrying firearms on campus. Students risk expulsion and staff risk being fired if they violate these policies.

Unfortunately, these "no guns" policies only disarm the law-abiding who are then unable to provide for their own defense, as seen in recent school massacres where such gun control was in effect.

Bills were introduced in both 2006 and 2007 Legislative Sessions to eliminate these college "victim disarmament zones". They were defeated, ensuring that criminals and murderers will have the upper hand.

As the tragedy at Virginia Tech proved, the "I'm unarmed, please don't hurt me" approach is not an effective means of self defense, especially when faced with a violent criminal determined to kill. Unfortunately, the police can't be everywhere all the time and usually arrive after the crime to take a report from any survivors.

**Will you vote FOR legislation that would prevent public colleges and universities from penalizing students, faculty, and staff with concealed handgun permits who carry on campus?**

Yes \_\_\_\_\_ No \_\_\_\_\_

5. Effective July 1, 2010, concealed handgun permit holders are allowed to carry concealed in all restaurants in Virginia provided they don't consume any alcoholic beverages while carrying concealed. Unfortunately, this sets up two classes of individuals allowed to carry concealed handguns in restaurants – one class is allowed to carry and drink and the other is allowed to carry but prohibited from drinking:

- Allowed to carry concealed handguns and drink alcoholic beverages – on & off duty Virginia police officers, retired law enforcement officers, vacationing law enforcement from other states, and Commonwealth Attorneys
- Allowed to carry concealed handguns but prohibited from drinking -- concealed handgun permit holders

It seems only appropriate that there should be one standard for those who the Commonwealth deems responsible enough to carry a concealed handgun – either allow both classes to carry and drink or to prohibit both from carrying and drinking. In either case, Section J1 (making it illegal to carry concealed while under the influence) would remain unchanged.

**Will you vote FOR legislation to repeal this double standard on carrying of concealed handguns in restaurants licensed to sell alcoholic beverages for on premises consumption?**

Yes \_\_\_\_\_ No \_\_\_\_\_

6. Virginia law prohibits the carrying of firearms in courthouses, on K-12 school property, the terminals of certain airports, and in places of religious worship while a religious service is in progress. Other than these restrictions, Virginia does not have any law prohibiting law-abiding citizens from legally carrying a firearm in a public place in open view (open carry). Thus, no permit is required in Virginia to open carry. However, Virginia does require a permit for those who choose to carry a firearm concealed.

Four states recognize that every citizen has the right to carry a gun, openly or concealed, for all lawful purposes – Vermont, Alaska, Arizona, and Wyoming. While Vermont does not issue permits at all, Alaska, Arizona, and Wyoming continue to issue optional permits for those who wish to take advantage of reciprocity agreements with other states. Many are calling this "Constitutional Carry".

**Will you vote FOR "Constitutional Carry" legislation that would allow law-abiding citizens to carry firearms openly or concealed (at the individual's discretion) for any reason except for the commission of a crime?**

Yes \_\_\_\_\_ No \_\_\_\_\_

7. Gun control advocates frequently attempt to discourage gun ownership by creating a patchwork of differing local government ordinances. Most recently, efforts have been made to authorize Roanoke, Richmond, Norfolk, and Fairfax County to enact ordinances restricting the carrying or possession of firearms in certain municipal facilities.

**Will you vote AGAINST any bill that would allow localities to restrict the carrying or possession of firearms by law-abiding citizens in recreation centers, libraries, or other local government facilities?**

Yes \_\_\_\_\_ No \_\_\_\_\_

8. Like most states, Virginia preempts localities from enforcing their own homemade gun control ordinances to prevent gun owners from running afoul of a patchwork of criminal laws. But even though statewide firearms preemption was enacted in Virginia way back in 1987, and was further clarified and strengthened in 2002, 2003, and 2004, localities continue to enact and enforce local gun control ordinances. As recently as Spring 2007, the City of Norfolk enacted a "gun ban" and then proceeded to arrest a law-abiding individual for violating this invalid local ordinance.

Individuals who violate the law are subject to mandatory penalties. But localities, even when losing in court when these illegal gun bans are challenged, merely MAY have to pay reasonable attorney fees, expenses, and court costs to citizens who prevail in declaratory actions.

**Will you vote FOR legislation that would REQUIRE localities to pay reasonable attorney fees, expenses, and court costs to citizens who prevail in declaratory actions against illegal gun bans?**

Yes \_\_\_\_\_ No \_\_\_\_\_

9. Most firearms experts recognize that mechanical devices, such as trigger locks, create an extremely dangerous condition, whereby a gun can be fired accidentally. These dangerous "lock up your safety" devices may render a handgun ineffective when most needed and leave an individual or family defenseless and vulnerable to attack. Additionally, trigger locks induce a false sense of security like child safety caps did when they were mandated resulting in a significant increase in child poisonings when parents came to rely on the "safety" caps rather than education to protect their children.

**Will you vote AGAINST government mandated use of trigger locks or other such hazardous "safety" devices which have the effect of making it difficult, if not impossible, to have a gun available to defend your home and family?**

Yes \_\_\_\_\_ No \_\_\_\_\_

10. Most experts agree that "ballistic fingerprinting" is not a valid fingerprinting of firearms but rather just a snapshot in time because the markings on the shell and bullets change over time with use, parts replacement, and/or intentional modifications.

Two studies done for the California Department of Justice concluded that ballistic fingerprinting is not a viable methodology. Most recently, a Maryland State Police report on Maryland's ballistic fingerprinting program called it expensive and ineffective. It is not only a waste of taxpayer dollars, but prohibitively increases costs for hobbyists and sportsmen. In addition, the head of the Maryland State Police testified before a Maryland House committee that the mandate to collect ballistics information hasn't helped solve any crimes.

**Will you vote AGAINST any legislation designed to impose these useless and expensive "feel good" ballistic fingerprinting schemes in the Commonwealth?**

Yes \_\_\_\_\_ No \_\_\_\_\_

11. Gun control advocates have made a concerted effort to demonize gun shows as a place where criminals have ready access to firearms. However, according to a 2001 U.S. Department of Justice report, only 0.7% of criminals got their guns from gun shows.

In Virginia, the State Police maintain strict control over all gun shows and dealers are required to ensure that all their firearm transfers are approved by the State Police whether the transfer is consummated at a gun show or at the dealer's place of business.

The terms "gun show loophole" and "unlicensed gun dealer" have been fabricated to mislead the public into believing that gun shows permit gun transfers that would be forbidden anywhere else. There is nothing that can be done legally at a gun show that cannot also be done legally outside of a gun show.

Closing the imaginary "gun show loophole" is just the first step in a campaign to criminalize all ~~non-dealer private gun transfers.~~

**Will you vote AGAINST any legislation designed to ban or restrict non-dealer private gun transfers (whether at gun shows or outside of gun shows)?**

Yes \_\_\_\_\_ No \_\_\_\_\_

12. In 1993, Governor Doug Wilder led an emotional stampede that limited the number of handguns law-abiding citizens may purchase to one every 30 days -- with police permission required for multiple purchases. Today, most Americans realize that: 1) criminals will always find ways of obtaining weapons whether legally or illegally and 2) limiting the legal activities of honest citizens reduces popular support for laws in general and undermines our legal system.

In addition, South Carolina was the first state to pass a "one-gun-a-month" law and has recently repealed that law.

**Will you vote FOR legislation to repeal Virginia's "one-gun-a-month" rationing law?**

Yes \_\_\_\_\_ No \_\_\_\_\_

~~13. Gun control advocates have attempted to ban various classes of firearms and related items such as:~~

- semi-automatic copies of military rifles and carbines (strictly due to their cosmetic appearance when they are, in fact, identical in function to standard semi-automatic hunting rifles)
- inexpensive and affordable handguns (demonized as "Saturday Night Specials")
- high-capacity magazines
- expensive, top shelf guns (like .50 caliber rifles)
- etc.

**Will you OPPOSE ALL gun bans?**

Yes \_\_\_\_\_ No \_\_\_\_\_

14. During the 2003 Legislative Session, the House of Delegates passed a bill (100-0) to provide criminal and civil immunity to anyone who used a firearm in his own home to protect himself or his family from a violent intruder. The bill later died in the Senate.

**Will you vote FOR legislation to give homeowners immunity from criminal prosecution and civil suit if they use a firearm in their own home to protect themselves or their families from a violent intruder?**

Yes \_\_\_\_\_ No \_\_\_\_\_

15. Near the end of the 2004 Legislative Session, the 14-member Joint Rules Committee quietly passed a precedent-setting edict banning the possession of firearms by most of the public at the Capitol and the General Assembly Building (GAB). The measure was enacted so quietly that the public, most members of the General Assembly, and even rank and file Capitol Police Officers were totally unaware of the existence of this gun ban rule until shortly before the 2005 Legislative Session. The General Assembly never debated or voted on this "General Assembly Building Gun Ban," nor has the General Assembly ever granted the Joint Rules Committee the specific authority to ban the lawful possession of firearms.

Local jurisdictions that enact or consider enacting their own gun bans in violation of state law frequently refer contemptuously to this GAB ban as proof of the legislature's hypocrisy.

**Will you vote FOR overturning this GAB gun ban?**

Yes \_\_\_\_\_ No \_\_\_\_\_

Feel free to attach additional comments to this survey.

<b>Candidate Authorization</b>	
My signature affirms that the answers given above accurately represent my beliefs as a candidate for elective office.	
_____ Candidate's Signature	_____ Date