

Virginians Against Handgun Violence

NEWSLETTER

Spring 2006

PRESIDENT'S NOTES

By Barbara Hart

VAHV, a statewide organization originated in 1992 when a young person was shot outside a school in eastern Virginia. An early success was creation of a Virginia law that limited the purchase of handguns to one per month—a law credited by law enforcement with helping to stem the supply of weapons to criminals in big cities up and down the East Coast.

VAHV is still at work to create a safer Virginia through education, public forums and youth outreach in addition to work in the public policy arena. And young people are still at risk from easy access to weapons—74 young people (0-19 years) died from gunfire in our state in 2004 (most recent statistical year available from the Virginia Department of Public Health).

Inside this newsletter, you can read articles on Advocacy Day at the General Assembly—how the day was energized by the presence of young people, as well as, how the day was poignant with the story of a mother's loss.

Join us and commit your energy and resources to creating a safer Virginia.

Where Do the Weapons Come From?

There was standing room only as over 65 people came to the Annual Meeting of VAHV last November to try to answer this question in a program that was held in Norfolk, Virginia in collaboration with the Minority Heath Coalition of South Hampton Roads & the YWCA of South Hampton Roads. Several people had to be turned away after notice of the meeting appeared in the local newspaper, the *Virginian Pilot*. Participants came from as far away as Charlottesville, as well as, Northern Virginia and Richmond and as close as around the corner in Park Place—a community that has struggled with tragic losses from gun violence including the shooting and death of a Norfolk police officer in that neighborhood just a week before the meeting.

Les Smith, lead anchor from NBC WAVY TV 10 moderated the panel discussion on “**Gun Violence: Where do the Weapons Come From?**” Distinguished panelists included:

- **Bob Ricker**, former attorney for the American Sport Shooting Association and NRA who currently works to create safer gun policies on the state and federal levels
- **Jim Metcalfe**, Attorney for the Bureau of Alcohol, Tobacco and Firearms from the US Attorney's office for the Eastern District of Virginia whose office is charged with enforcing federal firearms laws and
- **Jack Doyle**, Commonwealth Attorney for the City of Norfolk whose responsibilities include prosecution of state crimes including crimes where a firearm is used.

Panelists provided an overview of their work and how their work is impacted by current laws on firearms. Both the Commonwealth Attorney and the US Attorney are employed to enforce the laws that are established in their respective areas. Jack Doyle indicated that there could be a better overlay of federal and state laws regarding eligibility and purchase of firearms. For example, individuals convicted of misdemeanor domestic violence in the federal system are prohibited from owning or possessing a firearm, but it is not a prohibited in the Virginia law.

A GOOD IDEA!

Ask your local Commonwealth Attorney to do what Jack Doyle does in Norfolk. He makes those convicted on a domestic violence misdemeanor sign a written statement acknowledging their ineligibility to purchase or possess a firearm.

State Gun Show Loophole Remains Open by Jennette Franklin

The League of Women Voters of South Hampton Roads continues to be allied with Virginians Against Handgun Violence and American Association of University Women, Virginia Beach in our effort to reduce gun violence. Senator Henry Marsh of Richmond submitted a bill to require all sellers at gun shows to perform a background check on gun buyers. Unfortunately SB 15 was defeated in committee on Martin Luther King Day. Isn't that ironic? Those of us committed to a reduction of gun violence went to Richmond on January 16th. We had a bus full of folks from Hampton Roads (thanks to Kaye Tice). Others from around the state joined us at the General Assembly too. We had nice red stickers proclaiming

Background Checks Save Lives

“Background Checks Save Lives”. It did not help. The bill was heard that day rather than later in the week as had been expected. It quickly came up and then was voted down. Senator Louise Lucas voted for it. Senators Quayle, Norment, Stolle, Blevins voted against it. Norment and Quayle had voted for it last year, getting it out of committee and on to the floor of the Senate where it was narrowly defeated. It seems like such a small, common sense measure to do a background check!

Fortunately the City of Hampton decided to begin requiring background checks at gun shows held in city facilities. Alice Mountjoy found out about this via the local newspaper—the Daily Press. She then called Bernard Pishko, Norfolk City Attorney, who had Mr. Richardson of this office follow up with the Hampton City Attorney. Norfolk is emulating Hampton now by renting city facilities only to show promoters who require background checks for all gun purchases. Other localities

In the Words of a Student by Wayne Taliaferro Woodside High School

The trip from Newport News to Richmond on the Martin Luther King Holiday was a very educational and powerful experience. Not only did the trip honor his legacy, but upheld his policy of non-violence. This was my first year being involved in the efforts of VAHV. While I was aware of their mission and the horrors of handgun violence, I was unaware as to how sincerely passionate the fight against this problem is. The trip forced me to re-evaluate just how real the impact on violence is on everybody.

Before I attended, I really did not know what to expect. I had a clue, but I did not understand the full extent of what I was about to do. I had been equipped with information and prepared to present my point, but something happened between the time I arrived at the meeting and the time I stepped into the General Assembly Building. Hearing the briefings in that morning's meetings and seeing and hearing from the voices of concerned and supportive citizens gave me more confidence and motivation to really represent our cause. It also made me relate some of my own personal and close-to-home misfortunes associated with gun violence. (Continued Page 4)

A Mom's Perspective

by **Jeanette L. Richardson**

Resident of the Virginia Peninsula area

Like most average, middle-class Americans, I think I truly believed that if I raised my family right including right morals, no drugs, no weapons, etc. that we would be safe, healthy, happy and successful. If we just lived in a good neighborhood, stayed involved with the kids and their schools, had a close-knit and loving family and if we played by the rules and made sacrifices for our children then all would work out for us.

When our first born son made his dreams a reality and was admitted into the college of his choice, we were ecstatic. His choice was an out-of-state school, but we made it happen. The cost was staggering, and it seemed too far away, but the look on Patrick's face once accepted, was like heaven on earth. At the orientation, he was like a 3 year old again. Life was new and beautiful and fresh.

Life was good for my two younger sons who had a strong and wonderful role model in Patrick. He would graduate from college one year before the next one would graduate from High School. We worked out the financials and I got over the distance issue when my parents moved to his college town in Florida and loaned him a car.

When Patrick came home for his first break over Thanksgiving, life was good. My fine son was full of himself, but at the same time he was strangely serious when we had a long conversation about gun violence in America. It turns out he watched "Bowling For Columbine", the Michael Moore documentary, with his Freshman class. This progressive art college had been showing the movie since it had been out, and having intense discussion about the issue of guns in America. Patrick rented the movie for me and did not rest until I had watched it. He felt that all High School Seniors in America should watch this movie and have an open debate on the subject during their Government class. As he shared these thoughts with me, I marveled at this young man's conviction.

As an Army brat growing up all over the world, he knew my thoughts on guns. I had always suffered such culture shock when I re-entered American society; the violence seemed staggering to me and my family. My family had been touched by gun violence -- two great uncles had died by their own hands. One uncle died while cleaning his weapon (supposedly) and the other had shot himself on purpose while trying to talk his wife into not leaving him. Both incidences were long ago and far away, they just supported my theory that having a gun around wasn't a good idea for my me and my kin.

Everything I thought about life, humanity and the world in general completely changed on January 1, 2004 at approximately 12:45 a.m. My beautiful, accomplished, intelligent, compassionate college student was murdered in front of our house after a chance encounter with a drunken, drugged-up but well-armed high school dropout. The handgun was stolen; supposedly it had belonged to a Navy man who now lives in Ohio. The gun was easily obtained by this unemployed 18 year old, for about \$200. It came with the Hydro-shock bullets (a type of hollow point). Patrick had never seen this fellow before in his life.

The encounter began when a party up the street from us started to break up and a car rolled up in front of our house. There was a double-parked vehicle there, and the kids leaving the party started honking. My son went over and asked them politely to hold up, the car would be moved. "Please don't honk so loud, we have many elderly people on our street." The driver jumped out and attacked Patrick; the passenger then also jumped out and started beating Patrick as well. All the while, they are shouting that he's going to die that night. The passenger runs up the street, brings the shooter down and he kills my son. Almost 20 people including two elementary school age kids were witnesses to this unbelievable event. My husband and I had stepped into the back yard to speak to our neighbors, and were summoned just

A Mom's Perspective (continued)

moments after the fatal shot.

The shock and horror and the complete nightmare of this incident is hard to describe. It was as if we suddenly were in Baghdad, and these lawless people know where we lived. But we asked how could this happen here to our son and to our family? There were three guns at that party, and all of them were fired off in the backyard of the home. I was told the murder weapon was a .45—and I'm also told they were mostly high school students there.

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As our new reality continues to crush our hearts, and our pain continues to threaten our health and well-being, I am so grateful that the Virginians Against Handgun Violence exists and steadfastly takes the stand that it does.

No family should have to go through what we have endured, and this organization knows this. My beloved son in his own wisdom also somehow knew. But it still wasn't enough to save his life.

Wake Up Virginia!

In the Words of a Student

CONTINUED FROM PAGE 2

As we entered the General Assembly Building, I began to process statistics, stories, and the feelings that accompanied these sad accounts. At that time, being in that environment made me believe that I could make a difference. Although I knew it would be difficult since the political process can be formal, business-like and decided through unseen alliances. However, at that point none of that mattered because I knew what I stood for that day. Even as we met with senators and delegates who attempted to please and confuse us at the same time with rehearsed responses and political terminology, I still felt like we had made a strong impact because we were confident and had knowledge of our subject. Although I do appreciate Senator Locke's support and honesty, our unity intimidated others and forced them to acknowledge our presence just a little bit more.

In the end, the proposed bill to close the gun show loophole was not passed for another year. While it was a discouraging loss in the General Assembly, it was not a defeat for VAHV and everyone who supports the cause to reduce gun violence. There were a record number of participants in advocacy day this year and a great deal of publicity resulted from the efforts.

The experience was definitely well worth it. I can honestly say I have a new found appreciation for the advocates at the VAHV. It's so easy to just talk about problems, but it takes a great deal of heart and dedication to make change. I would encourage everyone to become more involved in their community's efforts to bring about positive social change. I will certainly continue to assess my capabilities to help bring about constructive and influential change in my community even without the support of elected policy makers.

VAHV Legislative Report

The 2006 legislative session is coming to an end and by all accounts it has been a very good year for those of us who have been trying to turn the tide in the Virginia General Assembly and counteract the brazen political arm twisting by the gun lobby that has dominated past legislative sessions.

Despite the obvious political maneuvering and pandering to the gun lobby by Senators Stolle, Quayle and Norment that doomed **SB 15 (Marsh)**, our bill to close the gun show loophole, we were able to stop many of the dangerous proposals that were pushed this year by the NRA and VCDL or force amendments that weakened many of the gun lobby's top legislative priorities. VAHV opposed all of the bills outlined in this report, but what is ironic is that several of the amended measures (if enacted) will make Virginians safer much to the displeasure of the NRA and VCDL. Dangerous gun bills that were *killed* this year include:

HB 162-Guns in public parking lots. This was the NRA's top legislative priority. The bill would have prevented property owners, including employers from prohibiting visitors, patrons or employees from leaving loaded guns in cars parked on private property.

The bill is part of the NRA's national strategy to pit the 2nd Amendment against 5th Amendment property rights. The NRA extremists argue that gun ownership is America's first freedom and should trump all other protections contained in the Bill of Rights. Conaco Phillips has filed suit against a similar law passed last year in Oklahoma.

Due to pressure exerted by a coalition of business leaders, the Chamber of commerce VAHV and others, the bill was referred to the Senate Courts of Justice Committee by the full Senate which effectively killed the bill for this year.

HB 1105- Carrying concealed handguns. A bill that would have allowed any lawful gun owner to carry a gun concealed *without a permit*. Died in committee.

HB 146- Concealed handguns; restaurants. A bill that would have repealed the prohibition on carrying concealed weapons in bars and restaurants. Died in committee.

HB 1572- Guns on university grounds. A bill that would have removed the authority of Colleges and Universities to prohibit weapons on campus. Died in committee.

HB 424- Reciprocity for all other states concealed carry permits. A bill that would have required Virginia to recognize any out of state permit to carry a gun concealed. Died in committee.

HB 704- Preemption. A bill that would have invalidated any local ordinance governing the discharge of firearms or hunting that was enacted prior to 1995. Continued to next year.

HB 705- Preemption. A bill that would have prohibited localities from regulating hunting or the discharge of firearms. Died in committee.

HB 829-Self defense and defense of others. A bill to liberalize Virginia's self defense law and allow the use of deadly force against another person anytime an intruder unlawfully enters a dwelling. The bill also provides that a person who uses justifiable force against an intruder shall be immune from civil liability for injuries or death of the other person. Died in committee.

HB 879- Self-defense, defense of others, defense of property. A bill to expand the latitude granted a person who, in his home or car, uses deadly force to defend himself, his family, or his property. The bill also provides that one may use deadly force to defend himself in any place he has a right to be, without retreat. Died in committee.

HB 895- Weapons in certain air carrier airport terminals; concealed handgun permit holders. A bill that would have removed the prohibition on weapons in non-urban airport terminals, removed ammunition from the list of prohibited items in these terminals, and would have allowed individuals with concealed handgun permit to bring guns into any airport terminal. Died in committee.

SB 58- Concealed handgun permit applications; fingerprints. A bill to remove the option for a locality to require that an applicant for a concealed handgun permit submit fingerprints as part of the application process. Died in committee.

HB 1531 Healing Arts, Unprofessional conduct. A bill that would have established as unprofessional conduct by a physician any oral or written inquiry to a patient concerning the possession, ownership, or storage of firearms. Died in committee.

Special Legislative Note

HB 1106- Possession of concealed weapons in private vehicles. A bill to repeal the prohibition against carrying concealed weapons in a car or vessel surprisingly gained some key support in the State Senate and was passed on to the governor late in the legislative session. The bill was amended in the Senate to allow gun owners to carry loaded weapons that are locked in a container in a car without a permit. Had the bill been signed, gun owners would have been able to conceal their guns while traveling in a vehicle or boat. The bill was opposed by VAHV as well as the law enforcement community. ***Governor Kaine wisely vetoed this dangerous measure.***

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Board Meetings
April 22, 2006
July 29, 2006
November 10, 2006

Advocacy Day
January 15, 2007

Please help VAHV financially so that we can continue to speak up on behalf of sensible gun policies in Virginia, a task that is difficult against a well financed, powerful Virginia gun lobby.

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Virginians Against
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Gun Violence
PREVENTION,
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POLICY

IF YOU OR YOUR ORGANIZATION WOULD LIKE TO HEAR ABOUT CLOSING THE GUN SHOW LOOPHOLE IN VIRGINIA OR PARTICIPATING IN ADVOCACY DAY 2007 CALL VAHV. YOUTH EDUCATION PROGRAMS ARE AVAILABLE AS WELL.

WE ARE READY TO DELIVER!