

RESOLUTION OF GOOCHLAND COUNTY BOARD OF SUPERVISORS

PREAMBLE

The Goochland County Board of Supervisors has received significant input from citizens expressing serious concerns about potential Gun Control legislation that may be enacted by the 2020 General Assembly session. This Statement is intended to respond to those citizen concerns.

In Goochland County we believe in the rule of law and support the US Constitution including the Bill of Rights and the Second Amendment. Each member of the Goochland County Board of Supervisors has taken an oath to “support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia”. The Goochland County Board takes the oath of office seriously and actively works to protect all rights guaranteed by both constitutions, including the right for law-abiding citizens to bear arms.

The Goochland County Board of Supervisors writes laws for the county to the extent authority has been specifically granted by the General Assembly. We have limited authority to pass laws, but we fully use our authority to protect and defend the rights of our citizens.

The Board of Supervisors is neither a law enforcement entity, nor responsible for prosecutions. Law enforcement in the county is entrusted to the Sheriff, who is separately elected by the citizens of this county. Prosecutions are handled by the Commonwealth’s Attorney, who is also separately elected by the citizens. Finally, the Board of Supervisors has no judicial authority. Interpretation and determination of the constitutionality of laws is performed by the court system.

This resolution affirms our support for the Second Amendment and sends a clear message to our legislators and all elected officials that we respect our citizens’ rights, all their rights, and that we stand with the other Virginia localities that have similarly voted to affirm their support for citizens’ Second Amendment rights.

RESOLUTION

WHEREAS, the Second Amendment of the United States Constitution reads “A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, Article I, Section 1, of the Virginia Constitution reads “That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into the state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety”; and

WHEREAS, Article I, Section 2 of the Virginia Constitution reads “that all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them”; and

WHEREAS, Article I, Section 13, of the Virginia Constitution provides “that a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed”; and

WHEREAS, certain legislation that has or may be introduced in the Virginia General Assembly, and certain legislation which has or may be introduced in the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution and Article I, Section 13 of the Virginia Constitution; and

WHEREAS, the Goochland County Board of Supervisors is concerned about the passage of any bill containing language which infringes on the rights of the law-abiding citizens of Goochland County to keep and bear arms; and

WHEREAS, the Goochland County Board of Supervisors wishes to express its deep commitment to the rights of all law-abiding citizens of Goochland County to keep and bear arms; and

WHEREAS, the Goochland County Board of Supervisors wishes to express opposition to any federal or state law that unconstitutionally restricts the rights of the law-abiding citizens of Goochland County to keep and bear arms; and

WHEREAS, the Goochland County Board of Supervisors wishes to express its intent to support and defend Second Amendment rights and to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the law-abiding citizens of Goochland County to keep and bear arms.

NOW, THEREFORE, BE IT RESOLVED, this 3rd day of December 2019, by the Board of Supervisors of Goochland County Virginia:

That the Goochland County Board of Supervisors urges our Delegates, Senators, and the Governor to oppose the passage of any state laws that infringe upon the rights of the law-abiding citizens of the Commonwealth under the Second Amendment of the United States Constitution and under Article I, Section 13 of the Virginia Constitution, and

That the Goochland County Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of law-abiding citizens of Goochland County, Virginia, and

That the Goochland County Board of Supervisors hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms using such legal means as may be expedient.

BE IT FURTHER RESOLVED, that the Goochland County Board of Supervisors requests that a copy of this resolution be provided to the General assembly members representing Goochland County and to the Governor of Virginia.

The undersigned clerk of the Board of Supervisors of the County of Goochland, hereby certifies that the resolution set forth above was adopted during an open meeting on December 3, 2019, by the Board of Supervisors with the following votes:

Manual Alvarez, Jr. Chair	_____
Susan F. Lascolette, Vice-Chair	_____
John L. Lumpkins, Jr.	_____
Robert H. Minnick	_____
Kendall C. Peterson	_____
Abstentions:	
Absent:	

A COPY TESTE: _____
Clerk to the Board of Supervisors