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Concealed Handguns Won't Make Bars Shooting Galleries

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Virginia Beach Police Chief Jake Jacocks Jr. recently asked Gov. Bob McDonnell to veto the "concealed handguns in bars" bills that have passed both houses of the General Assembly.

Chief Jacocks says that the carrying of handguns will endanger the public, that guns and alcohol don't mix, and that only law enforcement officers can handle that awesome responsibility of carrying a concealed handgun in a restaurant that serves alcohol.

Unfortunately, Jacocks seems unaware that handguns are already allowed in alcohol-serving establishments.

As Chief Jacocks puts it, "The potential for display and/or discharge of the firearm is unquestionably high."

Actually, the potential for display of a firearm in a restaurant that serves alcohol is a certainty under current law.

Concealed handgun permit holders in Virginia are required to transition to "open carry" when they enter establishments that serve alcohol for on-premises consumption. They must remove their jacket or other cover garment concealing their firearm and carry it openly.

When current law mandates the result that Jacocks fears, he should rethink his position. When the bill becomes law, Virginia will not suddenly become a more dangerous place to live and work.

In fact, the commonwealth's laws will reflect those of the rest of the United States. Of 48 states with concealed handgun permit regimes, only nine put restrictions on carrying in establishments that serve alcohol for on-premises consumption. Only Virginia and Montana require open carry, and Arizona requires concealed carry.

Chief Jacocks' argument would be better served if he proposed moving to the Arizona model to mandate

concealment.

Nationwide, the states have decided that there is a class of citizens who can be trusted with carrying a concealed handgun -- specifically, those people who can pass a background check and whatever training requirement the state mandates. We call those people "permit holders."

As the concealed handgun laws across the nation were relaxed in the past 20 years, we have heard desperate warnings that blood would run in the streets when permits were issued. None of these predictions came true, and concealed handgun permit holders are a more law-abiding bunch than the populace as a whole.

In a recent open letter to Gov. McDonnell, Chief Jacocks attempted to draw a parallel between drinking and carrying a gun, and drinking and driving an automobile. The General Assembly has already addressed this concern, by making it illegal under the proposed law to consume alcohol while carrying a concealed handgun. If past rates of criminal activity by permit holders are any guide, they will follow this law far better than the rest of society.

The same cannot necessarily be said of the police in whom Chief Jacocks places so much of his faith. Last June, Officer Bryan Womble of the Virginia Beach Police Department's Selective Enforcement Unit -- the group of officers tasked with keeping drunk drivers off the road -- was arrested for driving with a blood alcohol concentration of 0.15 after a car crash. (Womble is no longer employed by the Virginia Beach police.) Another of Jacocks' officers was charged in December after striking a neighbor's mailbox while driving under the influence.

Yet Chief Jacocks tells us that "[it] is irresponsible for anyone other than a law enforcement officer to carry a firearm into a bar."

If Chief Jacocks is so concerned about the prospect of intoxicated arguments turning into gunfights, he should have submitted language to the legislature that applies a "no drinking" rule to law enforcement officers and commonwealth's attorneys. They are currently allowed to carry a concealed handgun in a bar and to consume alcohol while doing it. The proposed legislation would not change this fact.

The majority of the states allow concealed handguns in establishments that serve alcohol. The Commonwealth of Virginia can treat its citizens like adults and do the same.

David Rittgers is an attorney and decorated former Army special forces officer who served three tours in Afghanistan and is now a legal policy analyst at the Cato Institute. Contact him at drittgers@cato.org.

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Reader Reactions

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[Flag Comment](#) Posted by paramedic70002 on March 29, 2010 at 12:11 pm

So basically Virginia Beach's Police Chief Jacocks told a BIG FAT LIE. Shame on you Chief! Will an apology be forthcoming?

[Flag Comment](#) Posted by Grape on March 28, 2010 at 2:14 pm

Thank you T/D for setting the record straight.

Permit holders are arguably the most law abiding and safest group of citizens, both in the Commonwealth of Virginia and throughout the nation.

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