

RESOLUTION
REAFFIRMING THE POWHATAN BOARD OF SUPERVISORS' COMMITMENT
TO UPHOLD THE CONSTITUTION OF THE UNITED STATES
AND THE BILL OF RIGHTS

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, Article 1, Section 13, of the Constitution of Virginia 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; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases, the military should be under strict subordination to, and governed by, the civil power;" and,

WHEREAS, certain legislation introduced in the 2019 session of the Virginia General Assembly, and certain legislation introduced in the current session of 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 of the United States Constitution; and

WHEREAS, the current Governor of Virginia has stated that he intends to endorse and pass into law legislation that is unconstitutional as it pertains to the rights enumerated in the U.S. and Virginia Constitution; and

WHEREAS, the Powhatan County Board of Supervisors is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Powhatan County to keep and bear Arms or could begin a slippery slope of restrictions on the Second Amendment rights of the citizens of Powhatan County; and

WHEREAS, the Powhatan County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Powhatan County to keep and bear Arms; and

WHEREAS, the Powhatan County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of Powhatan County to bear Arms; and

WHEREAS, the Powhatan County Board of Supervisors wish to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitution 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 right of the citizens to keep and bear Arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances, and the direction to the law enforcement and judiciary of Powhatan County to not enforce any unconstitutional law; and

WHEREAS, the Constitution of the United States, including the Bill of Rights, forms the foundation of our nation and the rule of law; and

WHEREAS, the Bill of Rights enumerates certain inherent citizens' rights, such as "the freedom of speech," "the right of the people peaceably to assemble, and to petition the government for a redress of grievances," "being necessary to the security of a free state, the right of the people to keep and bear arms," "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," "nor be deprived of life, liberty, or property, without due process of law," and

WHEREAS, the members of the Board of Supervisors each pledged a solemn oath to uphold these laws, which reads, "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as (a member of the Powhatan County Board of Supervisors) according to the best of my ability, (so help me God)."

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Powhatan County hereby expresses its intent to uphold the Second Amendment rights of the citizens of Powhatan County, Virginia, and its intent that public funds of the County not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the citizens of Powhatan County, Virginia, to bear Arms; and


BE IT FURTHER RESOLVED that the Board of Supervisors hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear Arms through such legal means as may be expedient, including without limitation court action; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby declares Powhatan County, Virginia, as a "Second Amendment Sanctuary."

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON
NOVEMBER 25, 2019**

**Angela Y. Cabell, Chairperson
Powhatan County Board of Supervisors**

ATTEST:


**Theodore L. Voorhees, Clerk
Powhatan County Board of Supervisors**

Recorded Vote:

<i>David T. Williams</i>	<u>Nay</u>
<i>Larry J. Nordvig</i>	<u>Aye</u>
<i>William E. Melton</i>	<u>Aye</u>
<i>Carson L. Tucker</i>	<u>Nay</u>
<i>Angela Y Cabell</i>	<u>Aye</u>