

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.

A mere 27 words make up the entire text of the Second Amendment of our Constitution. These few words stir emotions, instill fear, cause anger, elicit excitement and ultimately result in an individual sense of security. Sadly they are some of the most misunderstood and most maligned in America today.

Some people believe (incorrectly) that the words refer only to the states' ability to form a militia. While most believe (correctly) that the Second Amendment applies to both the state and the individual. These 27 words guarantee that individuals have the right to own firearms. In June the United States Supreme Court will make its first ruling on this issue since 1939.

Make no mistake about where I stand in this debate; the Bill of Rights was written to protect the rights of the individual and not that of the state or the federal government. I am a fervent proponent of the individual's right to bear arms.

One especially contentious issue concerning the Second Amendment is concealed weapons permits. When I ran for my first term as Sheriff in 2004, I contacted over 600 delegates and alternates to the republican county assembly to line up support for my party's nomination. The number one question asked of me concerned my position on the Second Amendment and concealed weapons permits. This question cut across all demographics – young, old, Anglo, Hispanic, men and women, and all professions – clergy, laborers, attorneys, teachers, stay-at-home parents, government employees and physicians.

Clearly concealed weapons permits were important then and still are now to Weld County residents. To their credit, in 2003 a majority of Colorado legislators along with Governor Bill Owens also recognized the importance of concealed weapons permits for the entire state.

The General Assembly found that widespread inconsistency existed among jurisdictions with regards to the issuance of permits. The inconsistencies resulted in “arbitrary and capricious” denial of permits based on where a person lived and not on his or her qualifications.

Legislators discovered other problems as well. Before 2003 some Colorado municipalities refused to recognize a permit issued from another jurisdiction and arrested people for carrying a concealed handgun despite having met all qualifications. Fed up with the blatant violations of the Second Amendment, Colorado lawmakers standardized the rules for issuing concealed weapons permits. Now an individual cannot be denied a permit based on where he or she lives, and all permits are recognized statewide.

Another important change is that now only the County Sheriff issues permits. This is a crucial component. In the past, Chiefs of Police also issued permits. However, Chiefs do

not answer to voters. Many did not agree with the majority of state legislators, Governor Bill Owens, the County Sheriffs and Colorado voters that law abiding citizens have the right to carry a concealed weapon, and therefore refused to issue concealed weapons permits. (Fortunately Greeley Police Chief Jerry Garner does not fall into that category.) Because of their refusal, lawmakers stripped the privilege and authority of issuing permits from the police chiefs.

Even among Sheriffs there is not total agreement on qualifications for concealed weapons permits. For example, I accept the Hunter Safety Card as proof of attending a firearms course as required by law; some Sheriffs do not.

The biggest disagreement is on the entry of permit holders' name into a statewide database. In the concealed weapons law it is optional for the County Sheriff to enter the names into the database. Once again my position is clear and unyielding; I absolutely refuse to enter Weld County permit holders into the state computer system just because they legally exercise their rights.

It is my belief that government has no right to know who has a concealed weapons permit or who owns a gun. That's why I am so proud of the Weld County Sheriff's Office most recent milestone.

I have been honored to be the Sheriff of Weld County for five years and I just issued our 2000th permit. From a safety perspective, I am happy that the number keeps growing. People have a right to self protection and to live free from the fear of crime. Having a firearm and a concealed weapons permit help achieve those goals.

(Published in Greeley Tribune Sunday, May 11, 2008)