



**September 24th, 2020**

## **Politics Overshadows Board Processes: Gun Ban, Removing Historical Markers, and One Fairfax**

### **In This Issue...**

- **Politics Overshadows Board Processes: Gun Bans, Removing Historical Markers, and One Fairfax** – The Fairfax County Board of Supervisors has a history of open honest discussion that gets us to better answers. At the last Board meeting that history went out the window in favor of national politics. It is concerning not just because of the items that were passed but because of the way they were passed with disregard for established Board process. The Board used to be about local issues and listening to the concerns of constituents, but national politics won the day at the last meeting. Below I will share with you some of my thoughts about the last meeting and why I voted the way I did.
- **Library Board and One Fairfax** – Tuesday's meeting started with a renewed attack on my Library Board appointee, a proposed requirement for appointees to acknowledge the One Fairfax policy, and a request for legislative changes to allow the Board to control appointees. Several of my colleagues mischaracterized my appointee's statements and, in a step away from our normal process, I was not allowed a rebuttal.
- **Removal of Historical Markers** – I voted against the Board's action to remove the Marr Historical Marker from the grounds of the Old Fairfax County Courthouse. I was disappointed that many of the creative solutions offered by a number of our local historians were ignored and that they were dismissed as "amateurs". While this subject is a highly politicized topic, I believe we need to act in a balanced way. These are not statues or monuments and they do not glorify a confederate figure, the Confederacy, or slavery. They were not erected or created with ill intent or to send a message

regarding slavery or segregation - in fact, they mark the location of the first death of a Confederate officer. It is a historical marker, marking a historical event in a historic location - the Old Courthouse. It does not meet my thresholds to spend taxpayers' funds to remove it.

- **Gun Ban in Public Buildings, Parks and Permitted Events** – The final item of our meeting was a public hearing on a weapon ban in public buildings, parks, and permitted events where we had nearly 100 speakers. The Board has a process of working through ordinances in committee meetings prior to a public hearing and always defers decision on issues that generates as many speakers as we saw the other night. Instead, the Board moved forward to vote for this ban 9-1 despite valid concerns not addressed in the ban that were shared by constituents and echoed by several other Board members. To me this vote needed to be about public safety and not politics. After careful review of the studies and listening to the testimony from both sides I came to the conclusion that a ban on guns, especially those with concealed carry permits, does not make our public places any safer and in fact puts some of our residents at a greater risk. I explain my thoughts further below.
- **Economic Revitalization Zones Approved** – At our last meeting, the Board unanimously passed an ordinance creating Economic Revitalization Zones that will offer certain regulatory and tax breaks to areas of the county that need revitalization. Although I first brought the idea of creating Economic Revitalization Zones to the Board back in September of 2017, I shared some hesitation about this item as presented during the Board meeting. I supported the ordinance despite my objection to the inclusion of McLean as a revitalization zone. We should be focusing incentives in the areas that actually need it in order to spark development.

### **Other News & Information**

- Early Voting In Progress at Fairfax County Government Center!
- Ballot Drop Off Box Available at Fairfax County Government Center
- Become an Election Officer Upcoming Low-Cost Rabies Vaccination Clinics
- Stuff the Bus on September 26
- Links to Freedom Hosting 2020 Freedom Cup at Springfield Country Club
- Nightmare Alley: Drive-Thru Terror at the Workhouse
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### **Politics Overshadows Board Processes: Gun Bans, Removing Historical Markers, and One Fairfax**

The Fairfax County Board of Supervisors has a history of open honest discussion that gets us to better answers. At the last Board meeting that history went out the

window in favor of national politics. It is concerning not just because of the items that were passed but because of the way they were passed with disregard for established Board process. Many residents expressed concern about the failure to follow our typical processes both at the meeting and in the days that have followed as well as how they felt they were not listened to nor represented. Two highly controversial hearings were scheduled last on the public hearing agenda, resulting in votes in the dead of night and early hours of the following morning. On the last item of the day the Board heard almost 100 speakers on a weapons ordinance that did not go through our typical committee process. The Board then took a vote at 2:15 AM without addressing the comments and questions of speakers and several Supervisors. The Board used to be about local issues and listening to the concerns of constituents, but national politics won the day at the last meeting. Below I will share with you some of my thoughts about the last meeting and why I voted the way I did.

### **Board Appointees and One Fairfax**

Tuesday's meeting started with a renewed attack on my Library Board appointee, a proposed requirement for appointees to acknowledge the One Fairfax policy, and a request for legislative changes to allow the Board to control appointees. Several of my colleagues mischaracterized my appointee's statements and, in a step away from our normal process, I was not allowed a rebuttal.

As I discussed in my last [newsletter](#), this is a dangerous, political push to silence different opinions in the name of equity. Several of my colleagues misquoted or cherry-picked statements made at the last Library Board meeting. One of the mischaracterizations of my appointee was that he was against Muslim books when he in fact said "I have nothing against Muslims or Muslim books." One of my colleagues stated that that our appointees are responsible for representing the Board. I see it differently, Board appointees represent the diverse opinions of our residents, not the policies of the Board -who are also supposed to be representing residents. There should be no move to silence their opinions or remove them for not supporting a contested policy. I voted against this motion because it's dangerous for our democracy when one authority tries to mold and control voices who are supposed to represent their communities.

### **Removal of Historic Markers at the Judicial Complex**

Two highly controversial public hearings were scheduled last on Tuesday's agenda, putting the votes on these items in the late evening and early morning hours. The second to last item was the removal, relocation or contextualization of historic markers on the grounds of the Old Fairfax County Courthouse. The items in question include a marker identifying where the first confederate officer died during the Civil War, a sign marking where he died, and two cannons.



I was the lone vote against the Board's action to remove the Marr Historical Marker from the grounds of the Old Fairfax County Courthouse. I was disappointed that many of the creative solutions offered by a number of our local historians were ignored and that they were dismissed as "amateurs". While this is a highly politicized topic, I believe we need to act in a balanced way. These are not statues or monuments and do not glorify a confederate figure, the Confederacy, or slavery. They were not erected or created with ill intent or to send a message regarding slavery or segregation - in fact, they mark the location of the first death of a Confederate officer. It is a historical marker, marking a historical event in a historic location - the Old Courthouse. It does not meet my thresholds to spend taxpayers' funds to remove them.

I was also surprised and disappointed that Fairfax City was not consulted before the public hearing and vote. The markers, while on County property, are within the City limits. I would have thought we would have had the courtesy to contact the city. I understand there is some interest by the city to take the markers.

The Board heard testimony from many historians and others who agreed that these markers are not commemorative in their language or structure, but purely historical, factual and should not be removed. I thought many of these speakers had valid points for why these markers should stay, primarily because they provide important context of what happened here in Fairfax during a dark period in our nation's history without celebrating it. There is good cause to consider moving, contextualizing and/or renaming monuments established for the purpose of intimidation, but we need to be able to distinguish those from historical markers that share the truth of where we have been so we never regress. I would

have hoped to see this decision wrapped into the comprehensive review of all the monuments and memorials the Board is considering instead of as a one-off item.

### **Ban on Guns in Public Places**

At our last meeting, the Board passed an ordinance to ban guns, including conceal carry permit holders, from the County's buildings, parks, public spaces and permitted events. I moved to amend the ban to exempt concealed handgun permit holders, but the amendment did not receive support and I voted against the ban.

To me this vote needed to be about public safety and not politics. After careful review of the studies and listening to the testimony from both sides I came to the conclusion (described further below) that a ban on guns, especially those with concealed carry, does not make our public places any safer and in fact puts some of our residents at a greater risk.

### **Policy Issues**

Many speakers raised issues with the language of the ordinance that would fail to protect religious groups, public events, the elderly and vulnerable on trails, those with restraining orders, as well as those wanting to stand up to bad actors who have threatened their family. I heard no **specific** testimony on how banning guns would actually make public buildings safer.

*Inconclusive research.* Before the hearing, staff shared with the entire Board the answer to a question I raised at our previous Board meeting on whether there is conclusive research showing weapons bans in public places results in greater public safety. They shared there is no such independent research, only research from various groups that affirms their public political position. See full comments here starting at the [7:44:28 mark](#).

*Virginia Beach Shooting.* While the Virginia Beach shooting was one of the reasons cited for allowing localities to ban guns, it is actually a case study against the ban. Employees in Va Beach were prohibited from carrying guns. The shooter was an employee and as with most bad guys did not follow the policy. However, Kate Nixon an employee who did follow the ban was left defenseless because of the ban. Her husband, Jason Nixon had told his wife to hide a pistol in her purse and take it to work because of concerns about a fellow employee – she had training and knew how to use it – but she didn't want to break city policy forbidding employees from bringing weapons to work. She was shot once in the shoulder and later in the head and was left without the ability to defend herself because of the ban. Read more [here](#).

*Women and Domestic Violence Victims* – Many women testified that the gun they have been trained to use is an equalizer for them if attacked by a man in a secluded area such as our park trails. Others testified that they are victims of domestic violence need a way to defend themselves until the police arrive

*Religious Community* – Many religious communities currently utilize trained and armed membership to protect the events they hold in public spaces. We heard very specifically from the Jewish community that they have been subject to and are seeing a rise in threats during the pandemic and need well-trained, affordable security for their members to feel safe exercising their First Amendment rights. The ordinance as passed leaves them unable to defend themselves at public or permitted events.

*Do Gun Bans Work?* – We heard testimony that seventy five percent of our nations non-suicide gun deaths occur in twenty neighborhoods. Those twenty neighborhoods are in jurisdictions with some of the strictest anti-gun laws in the nation.

*Depolicing* – Because of issues at the national, state and especially the local level, our police department has not been doing the proactive policing that has made us the safest jurisdiction of their size in the nation. This is a problem the Board needs to address but in the meantime our citizens need a way to protect themselves until the police arrive.

*Fiscal Impact/Security Plans* – While the Board stated that we have been working towards this ban for many years there were no plans on how they were going to protect citizens in our buildings, parks or permitted events. Neither plans for security nor the total cost of signage, metal detectors and security personnel were not included in the Board item as typical.

*Patchwork of laws* - With at least 28 other jurisdictions in Virginia who have voted ‘No’ to a ban on guns, I share the concern that there will be a patchwork of gun ban counties that will confuse those trying to follow the law, especially those with concealed carry permits.

*Access for Hunters*- Many who use County parks to access hunting and fishing raised concern about how this ordinance would impact their ability to enjoy those recreational activities. Despite the concerns raised by the public and two Board members, the ordinance did not provide this exemption and will leave the decision to NOVA Parks.

### **Process Issues**

This ordinance did not run through our normal committee process where we work out details and work to make it better. Board members always say we do the bulk of our work in committee. I had asked for this to go through committee but did not receive support. Other jurisdictions like Arlington and Alexandria are already looking to revise their ordinances because they moved them through too quickly. I believe we will be revisiting ours because it was rushed. Because this ordinance did not go through committee, we did not have a chance to discuss enforcement or how we were going to keep our citizens safe. In final comments, Supervisor Lusk shared his concern that there may be issue with many law-abiding, well-meaning

gun owners who unintentionally break this law. He asked for enforcement to be lenient but there is no Board-discussed plan.

We heard from almost 100 speakers who raised **valid concerns that were echoed by several Supervisors**, yet the ban was rammed through at 2:15 a.m. at the end of a 14-hour meeting. The Board has a tradition of deferring decision on items where we have a significant number of speakers so that we can consider the input of our residents. In the 1:00 AM hour of Wednesday morning Supervisor Stork actually learned that we could have exempted parks and suggested that we should revisit the ordinance to consider that. Supervisor Gross and Stork wanted to protect the rights of hunters to launch at our regional parks, but unfortunately the ordinance as written does not guarantee that. It put the decision in the hands of NOVA parks and other jurisdictions. These items could have been fully vetted and/or fixed in committee meeting or by a deferred decision – but politics overruled process.

Some of my colleagues justified moving forward with the ban because it has been on our legislative agenda for years. Unfortunately, there is a very large difference between a policy statement and the details provided in an ordinance. Policy statements do not have fiscal impacts – ordinances do. Policy statements do not have security plans – ordinances need them. We had no discussion on the fiscal impact.

Most disturbing was our residents' concerns that their opinions and testimony did not matter despite staff presentation of inconclusive studies and numerous testimonies. One glimmer of hope is that several Board members voiced concerns not addressed in the ordinance as the result of testimonies shared. Their concerns highlight the need to follow established committee process and also the value of your testimonies. My hope is that Board votes in the future are more responsive to constituent feedback.

### **Economic Revitalization Zones Approved**

At our last meeting, the Board unanimously passed an ordinance creating Economic Revitalization Zones that will offer certain regulatory and tax breaks to areas of the county that are in need of revitalization. Many of these areas overlap with the recently created federal Opportunity Zones, which will make them even more attractive to businesses. Although I first brought the idea of creating Economic Revitalization Zones to the Board back in September of 2017, I shared some hesitation about this item as presented during the Board meeting. The Economic Revitalization Zones include parts of Dranesville, Hunter Mill, Lee, Mason, and Mount Vernon districts. I think the inclusion of McLean as a revitalization zone was a mistake, just like the inclusion of Tysons was a mistake when it was named as a revitalization area years ago. There is more than enough incentive to build and move businesses to those areas. We should be focusing incentives in the areas that actually need it in order to spark development. With that caveat, I enthusiastically supported four fifths of this action to create

Revitalization Zones in Lee, Mason, Mount Vernon, and Hunter Mill districts. There are several projects waiting in the wings for this program – the most exciting (and needed) of which is Skyline Towers. I believe these zones will bring much needed revitalization to areas of the county that desperately need it.

The Board also voted to add several legislative fixes for the program to our legislative program which I supported. You can find the details of the program [here starting on page 184](#).

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## **Other Helpful News & Information**

### **Early Voting In Progress at Fairfax County Government Center!**

Early voting started this past Friday at the Fairfax County Government Center in Fairfax. Hours are from 8:00 a.m.-4:30 p.m. Monday-Friday. Voting will also be available on certain Saturdays from 9 a.m. to 5 p.m.. Any registered Fairfax County voter can vote early and can cast their ballot at any early voting site. Fourteen satellite voting sites including the West Springfield Government Center will also be open for early voting starting on October 14. For more information, [please see this page](#).

### **Ballot Drop Off Box Available at Fairfax County Government Center**

The Fairfax County Government Center in Fairfax (12000 Government Center Pkwy) currently has a ballot drop off box located on-site to drop off ballots. FYI - Drop boxes will only be available during the hours that the voting locations are open for voting. The West Springfield Government Center will be open for early voting starting on October 14. Guidance from the General Assembly have said that the drop boxes must be monitored. The drop boxes will be brought out when the satellite is open and will have a person to stand with the drop box during the period the satellite office is open.

### **Become an Election Officer**

In response to predicted demand to staff satellite voting sites as well as to sort ballots sent by mail, Fairfax County continues to recruit members of our public to serve as Election Officers. Deadline to apply for these positions is Friday, October 9. To fill out your application today, [please apply at this link](#).

### **New Ramp from Route 28 South to I-66 East**

On Friday, September 25, a new ramp from Route 28 South to I-66 East is scheduled to open. Drivers on Route 28 South will stay to the right to access I-66 East using the new ramp, located prior to the traffic signal and two left-turn lanes that drivers currently use. The new ramp is one of several major traffic pattern changes happening this year in the I-66 and Route 28 Interchange area as part of the Transform 66 Outside the Beltway Project. Upon the opening of the new loop ramp, the current two left-turn lanes and the spur ramp from southbound Route 28 to I-66 East will be permanently closed to allow for construction of new



northbound Route 28 thru-lanes and additional ramps for the redesigned interchange. The traffic signal on Route 28 at I-66 will also be removed at that time.



### **Stuff the Bus Continues on September 26**

On Saturday, September 26, Fastran buses will again be parked at 21 locations from 10 a.m. to 3 p.m. to collect food donations. In the Springfield District, Buses will be located at the West Springfield Government Center and Centreville High School. For more information about Stuff the Bus and the Community Partners we will be helping, [please see this link](#).

### **Upcoming Low-Cost Rabies Vaccination Clinics**

No contact, low-cost rabies vaccination clinics will be available at the Fairfax County Animal Shelter on:

- Sunday, October 18
- Sunday, December 6

Pet owners may bring dogs, cats, and ferrets on each of these clinic dates. There is a high demand for these clinics and pre-registration is required. To sign up and for more information, [please click on this link](#).

### **Links to Freedom Hosting 2020 Freedom Cup at Springfield Country Club**

Links to Freedom Golf Foundation (L2F) is an organization that works to implement Wounded Warrior and Disabled Veteran (WW&DV) rehabilitative golf

programs at military and civilian golf facilities nationwide to help aid in that struggle. L2F will be hosting their 2020 Links to Freedom Cup at the Springfield Golf & Country Club on October 5. To register and to view sponsorship opportunities, [please visit this page](#).

### **Nightmare Alley: Drive-Thru Terror at the Workhouse**

Looking for a fun, socially distant way to enjoy Halloween? "Nightmare Alley: Drive-Thru Terror" is the latest addition to the Workhouse Art Center's annual "Haunt" tradition, with a contemporary twist. This year's attraction is Northern Virginia's first-ever haunted drive-thru, meaning that visitors can experience all the thrills of Haunt while staying safely socially distanced in their cars. The event runs every weekend in October starting the 2nd and ending the 31st. Specific times and dates (as well as a special promo code) [can be found on their website](#).

### **On the Lighter Side**

What would you do if you received a 100-year old post card? A Michigan resident is looking to connect this postcard with the family of the intended recipient. [Read here for more on this story](#).

